

## LIMITED IN-PERSON ATTENDANCE PERMITTED

Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis.

Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County's YouTube channel, which can be found via the County's website at [Oconeesc.com](http://Oconeesc.com). Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **833 7798 9766**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.

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# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

### February 16, 2021

### 6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

### Call to Order

### Public Comment Session *[Limited to a total of forty (40) minutes, four (4) minutes per person.]*

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023, so that she may receive your comment and read it into the record.

### Council Member Comments

### Moment of Silence

### Invocation by County Council Chaplain

### Pledge of Allegiance to the Flag of the United States of America

### Approval of Minutes

- February 2, 2021 Regular Minutes

### Administrator Comments

### Attorney Comments

### Proclamation 2021-01

- Proclamation 2021-01 Recognizing February as Black History Month

### COUNCIL MEMBERS

John Elliott, Chair, District I                      Paul Cain, Vice-Chair, District III  
Julian Davis, III, Chair Pro Tem, District IV      Matthew Durham, District II  
Glenn Hart, District V

## Public Hearings for the Following Ordinances

If you would like to be heard during either of the public hearings, please contact Clerk to Council Katie Smith at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023 so that she may coordinate your participation by telephone.

**Ordinance 2021-04** “AN ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY (SUNSET PROVISION INCLUDED), AND OTHER MATTERS RELATED THERETO.”

*General Government matter*

**Ordinance 2021-05** “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF LAKE CORRIDOR SIGNAGE STANDARDS, AND OTHER MATTERS RELATED THERETO.”

*Forwarded from the Planning & Economic Development Committee*

**Ordinance 2021-06** “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF TRAFFIC CORRIDOR DESIGN STANDARDS, AND OTHER MATTERS RELATED THERETO.”

*Forwarded from the Planning & Economic Development Committee*

## Third Reading of the Following Ordinances

**Ordinance 2021-04** [see caption above]

**Ordinance 2021-05** [see caption above]

## Second Reading of the Following Ordinances

*[None Scheduled]*

## First Reading of the Following Ordinances

**Ordinance 2021-07** “AN ORDINANCE INCREASING THE “NOT TO EXCEED” TAX RATE FOR THE KEOWEE FIRE TAX DISTRICT FROM 14.5 MILLS TO 17.5 MILLS, CONSISTENT WITH ARTICLE VI OF OCONEE COUNTY ORDINANCE 2003-12, WHICH ESTABLISHED THE KEOWEE FIRE TAX DISTRICT AND KEOWEE FIRE COMMISSION.”

*General Government matter*

## First & Final Reading for the Following Resolutions

**Resolution 2021-02** “A RESOLUTION AUTHORIZING THE ACCEPTANCE OF APPROXIMATELY 1.43 ACRES OF REAL PROPERTY FROM THE SCHOOL DISTRICT OF OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

*General Government matter*

**Resolution 2021-03** “A RESOLUTION AUTHORIZING OCONEE COUNTY TO ENTER INTO A LEASE AGREEMENT WITH THE CITY OF WESTMINSTER, WHEREBY THE COUNTY WILL CONTINUE TO LEASE APPROXIMATELY 76 ACRES OF REAL PROPERTY CONSTITUTING A PORTION OF THE CHAU RAM COUNTY PARK; AND OTHER MATTERS RELATED THERETO.”

*General Government matter*

### COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

Matthew Durham, District II

Glenn Hart, District V

## Discussion Regarding Action Items

### **Request for removal of Library Board member for non-attendance**

Kathryn Campbell Smith was appointed in January, 2019. Ms. Smith attended the January and May meetings in 2019, and has not attended a meeting since that time. This member has also not responded to repeated attempts to reach by email, and a letter sent by U.S. Mail inquiring about this member's intent to remain on the Board. Library Board by-laws state that, "(I)f a board member misses two (2) consecutive board meetings without an adequate excuse, the board will bring this matter to the attention of County Council for consideration of termination from the board." We request that Ms. Smith be removed from the Board so that a replacement can be named for the remainder of her term.

It is the recommendation of the staff liaison to the Board that Ms. Smith be removed so that another appointment may be made to fill this *de facto* vacancy.

### **Allocation of direct funding not to exceed \$210,000 to the Town of Salem for the engineering and installation of waterline along the Highway 11 business corridor, pump station, generator, and related system infrastructure**

On July 17, 2018, funds not to exceed \$210,000 were approved by Council to be appropriated from the Economic Development fund and committed as a match for the purposes of contributing to a grant which would improve the Town of Salem's water system with the extension of a waterline along Highway 11. The funds would ultimately be presented as match on an EDA Disaster Relief grant application for which no award was granted to the Town of Salem.

On May 21, 2019, Council approved the funds to be earmarked for the same project and authorized the County Administrator to allow the County Grants Writer and Coordinator to work with the Town of Salem to obtain a grant for the remaining amount of the project cost. An Economic Infrastructure grant application was submitted to the SCRIA, but no award was granted due to greater infrastructure needs in the state. The \$210,000 remains earmarked and unspent.

In 2020, the Town of Salem applied for a loan from the State Revolving Fund (SRF) and was selected for the 2021 (Fiscal Year 2020) project list. The Town of Salem has been awarded \$216,000 in principal forgiveness assistance for an estimated project cost of \$270,000. The Rosier Group is currently managing engineering for the project and the SRF loan. The Rosier Group has estimated the total project cost at \$640,922.40. The Town of Salem wishes to be directly allocated the earmarked \$210,000 to supplement the difference between the SRF estimate and the Rosier Group's estimate of the total project cost and begin construction for the project. The allocation of these funds will allow the Town of Salem to begin construction as soon as possible and make much needed improvements to the water system.

It is staff's recommendation that Council approve the allocation of direct funding not to exceed \$210,000, which has been earmarked for this project, to the Town of Salem for the engineering and installation of waterline along Highway 11, pump station, generator, and related system infrastructure.

## **Board & Commission Appointments**

The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1<sup>st</sup> quarter of 2021] appointment and/or reappointment as follows:

### **Arts & Historical Commission**

District II: 2 questionnaires on file for this seat

#### **COUNCIL MEMBERS**

John Elliott, Chair, District I	Paul Cain, Vice-Chair, District III
Julian Davis, III, Chair Pro Tem, District IV	Matthew Durham, District II
Glenn Hart, District V	

## **Board of Zoning Appeals**

District V: 1 questionnaire on file for this seat

## **Building Codes Appeal Board**

1 At-Large Seats: No questionnaire on file for this seat

## **Conservation Bank Board**

District IV: 2 questionnaires on file for this seat

District V: No questionnaire on file for this seat

## **Executive Session**

*[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]*

*For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:*

*[None Scheduled]*

## **Adjourn**

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council, Committee, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website.

### **COUNCIL MEMBERS**

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

Matthew Durham, District II

Glenn Hart, District V

## OCONEE CODE OF ORDINANCES

### Sec. 2-61. - Access to and conduct at county meetings, facilities and property.

(a) *Purpose.* The county council has determined that it is necessary to regulate access to county facilities, grounds and property in order to ensure the safety and security of the public who visit these areas or the county employees who serve them. The conduct of persons who visit county facilities and/or who have contact with county employees must also be regulated to preserve public order, peace and safety. The regulation of access and conduct must be balanced with the right of the public to have reasonable access to public facilities and to receive friendly, professional service from county employees. These regulations apply to all county facilities and meetings, as defined below, for and over which county council exercises control and regulation, and to the extent, only, not pre-empted by state or federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Facility* means any building, structure, or real property owned, leased, rented, operated or occupied by the county or one of its departments, offices or agencies.

*Meeting* means any assemblage of persons for the purpose of conducting county governmental business, operations or functions or any assemblage of persons within a county governmental facility. The term "meeting" includes, but is not limited to, county council meetings, county board and committee and staff meetings, trials, hearings and other proceedings conducted in the courts of general sessions and common pleas, family court, master-in-equity, probate court and magistrate's court; and other meetings by entities duly authorized by the county council.

(c) *Prohibited acts.* It shall be unlawful for any person to:

- (1) Utter loud, obscene, profane, threatening, disruptive or abusive language or to engage in any disorderly or disruptive conduct that impedes, disrupts or disturbs the orderly proceedings of any meeting, or operations of any department or function of the county government, including, without limitation, speaking when not explicitly recognized and authorized to do so by the presiding official in such meeting.
- (2) Bring, carry, or otherwise introduce any firearm, knife with blade longer than two inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.
- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.

- (7) Use any county governmental facility, grounds or other property for any purpose not authorized by law or expressly permitted by officials responsible for the premises.
  - (8) Enter without authorization or permission or refuse to leave any county governmental facility, grounds or other property after hours of operation.
  - (9) Obstruct or impede passage within a building, grounds or other property of any county governmental facility.
  - (10) Enter, without legal cause or good excuse, a county governmental facility, grounds or property after having been warned not to do so; or, having entered such property, fail and refuse without legal cause or good excuse to leave immediately upon being ordered or requested to do so by an official, employee, agent or representative responsible for premises.
  - (11) Damage, deface, injure or attempt to damage, deface or injure a county governmental property, whether real property or otherwise.
  - (12) Enter or attempt to enter any restricted or nonpublic ingress point or any restricted access area, or bypass or attempt to bypass the designated public entrance or security checkpoint of a facility without authorization or permission.
  - (13) Perform any act which circumvents, disables or interferes with or attempts to circumvent, disable or interfere with a facility's security system, alarm system, camera system, door lock or other intrusion prevention or detection device. This includes, without limitation, opening, blocking open, or otherwise disabling an alarmed or locked door or other opening that would allow the entry of an unauthorized person into a facility or restricted access area of the facility.
  - (14) Exit or attempt to exit a facility through an unauthorized egress point or alarmed door.
- (d) *Penalty for violation of section.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. In addition, vehicles that are improperly parked on any county property, facility, or other premises may be towed at the owner's expense.

(Ord. No. 2003-04, §§ 1—4, 4-15-2003; Ord. No. 2012-06, § 1, 4-3-2012)

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
PROCLAMATION 2021-01**

**A PROCLAMATION RECOGNIZING FEBRUARY AS BLACK HISTORY  
MONTH.**

**WHEREAS**, Black History Month is a time for all Americans to reflect on the history, teachings, and contributions by African Americans as leaders at the highest levels of military, business, education, government, the arts, sports, and religion; and,

**WHEREAS**, the national theme for this year's observance is "The Black Family: Representation, Identity and Diversity"; and,

**WHEREAS**, the black family has been a topic of study in many disciplines - history, literature, the visual arts and film, sociology, anthropology and social policy; and,

**WHEREAS**, its representation, identity and diversity have been revered, stereotyped and vilified from the days of slavery to modern times; and,

**WHEREAS**, the black family knows no single location, as genetic-ancestry searches testify to the spread of family members across states, nations, and continents; and,

**WHEREAS**, the complexity of the black family can be seen in numerous debates over how to represent an atypical family from a historical perspective – as slave or free, as patriarchal or matriarchal, as single-headed or dual-headed household, as legal or common law, and black or interracial; and,


**WHEREAS**, the family offers a rich tapestry of images for exploring the African American past and present.

**NOW, THEREFORE**, we, the County Council, do hereby proclaim February 2021 as Black History Month in Oconee County, South Carolina, and urge all citizens to honor the history and achievements of Black Americans and to reflect on the identity, representation and diversity of black families across the United States.

**APPROVED AND ADOPTED** this 16<sup>th</sup> day of February, 2021.



OCONEE COUNTY, SOUTH CAROLINA

  
John Elliott, Chairman of County Council

ATTEST:  
  
Katie D. Smith, Clerk to County Council

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2021-04**

**AN ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY (SUNSET PROVISION INCLUDED), AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States;

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act;

**WHEREAS**, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

**WHEREAS**, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that COVID-19 poses an actual or imminent public health emergency for the State;

**WHEREAS**, the Governor of the State has declared a continued State of Emergency by way of subsequent Executive Orders;

**WHEREAS**, the State continues to experience a significant number of identified new COVID-19 cases and related hospitalizations;

**WHEREAS**, health authorities, including the CDC, the Surgeon General of the United States, and the South Carolina Department of Health and Environmental Control have recommended the use of face coverings as a means of preventing the spread of COVID-19;

**WHEREAS**, S.C. Code §§ 4-9-25 and 4-9-30 grant to the County broad powers concerning health, order, safety, and the preservation thereof;

**WHEREAS**, the Oconee County Council has determined that it would serve the public interest and be within the County’s police powers under Home Rule and S.C. Code § 4-9-25 to require that individuals wear face coverings in certain County-owned or operated facilities (“County Facilities,” defined below); and



**NOW, THEREFORE**, be it ordained by the Oconee County Council as follows:

**Section 1. Definitions.** As used herein, the terms below shall have the following meanings:

- 1) "County Facility" means any building, structure, or real property owned, leased, rented, operated, or occupied by the County or one of its departments, offices, or agencies, and which is open to the public in general and which is being used for a public purpose. County-owned or operated facilities, the use of which is governed by other authorities, such as courthouses, or which are leased to and used by third parties, are not considered County Facilities for purposes of this Ordinance.
- 2) "Face Covering" means a uniform piece of cloth, fabric, or other material that securely covers a person's nose and mouth and remains affixed in place without the use of one's hands. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, and gaiters, provided that they are worn such that they securely cover the person's nose and mouth.

**Section 2. Use of Face Coverings within County.**

- 1) All employees, customers, vendors, guests, and other visitors are required to wear Face Coverings while inside the enclosed area of any County Facility; and
- 2) All persons positioned outside, but in close proximity to, County Facilities are required to wear Face Coverings when maintaining a distance of less than six (6) feet between other persons.

**Section 3. Exemptions.** Face Coverings shall not be required:

- 1) For those who cannot wear a Face Covering due to a medical or behavioral condition;
- 2) For those whose religious beliefs prevent them from wearing a Face Covering;
- 3) For children seven (7) years of age and under, provided that adults accompanying children age two to seven (7) shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of a County Facility;
- 4) For County employees in those situations where they are not required to wear a Face Covering under written County policy;
- 5) When complying with directions of law enforcement officers or other first responders; and
- 6) For law enforcement officers, firefighters, EMS, or other first responders while engaged in a public safety matter where it is not practical to wear a Face Covering; and
- 7) Such other individual exemptions as are granted in writing, on a case-by-case basis, by the County Administrator, on the advice of the Emergency Services Director and the County Attorney, and which are consistent with the spirit of this Ordinance.

**Section 4. Violations: Civil Infraction.** Any person violating the provisions of this Ordinance by failing to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not less than \$25.00 and not more than \$100.00.

**Section 5. Suspension of Contrary Local Provisions.** During the term of this Ordinance, any other ordinance, resolution, policy, or bylaw of the County that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

**Section 6. Severability.** Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

**Section 7. Expiration.** This Ordinance shall expire the earlier of (1) June 30, 2021, or (2) when there is no longer a statewide emergency declaration related to the COVID-19 crisis.

This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Katie D. Smith  
Clerk to Oconee County Council

\_\_\_\_\_  
John Elliott  
Chair, Oconee County Council

First Reading:        January 19, 2021  
Second Reading:     February 2, 2021  
Third Reading:       February 16, 2021  
Public Hearing:        February 16, 2021

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2021-05**

AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF LAKE CORRIDOR SIGNAGE STANDARDS, AND OTHER MATTERS RELATED THERETO.

**WHEREAS**, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

**WHEREAS**, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (“Code of Ordinances”), as amended;

**WHEREAS**, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County;

**WHEREAS**, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend Article VIII (Sign Control) of Chapter 32 of the Code of Ordinances by adding “Lake Corridors’ Signage Standards,” as reflected on Attachment A hereto;

**WHEREAS**, County Council has therefore determined to modify Article VIII of Chapter 32 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

**NOW THEREFORE**, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Article VIII of Chapter 32 of the Code of Ordinances is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and incorporated herein by reference. Attached hereto as Attachment B is a version of Article VIII of Chapter 32 showing the changes made to the existing ordinance; it is for illustrative purposes only, and shall not be codified.

2. County Council hereby approves and adopts Attachment A as the applicable land use provisions of the County in relation to Sign Control and directs that it be codified in the Oconee County Code of Ordinances.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing contained herein, however, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning act, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.

6. This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Katie D. Smith  
Clerk to Oconee County Council

\_\_\_\_\_  
John Elliott  
Chair, Oconee County Council

First Reading: January 19, 2021  
Second Reading: February 2, 2021  
Third Reading: February 16, 2021  
Public Hearing: February 16, 2021

Attachment A

*Ordinance 2021-05*

Sec. 32-515. Title.

This article shall be known as the "Sign Control Ordinance of Oconee County, South Carolina."

Sec. 32-516. Purpose.

It is the purpose of this article to establish regulations for the safe and orderly placement of all signage to which this article applies in the unincorporated areas of the county; also, this article shall establish penalties necessary to discourage violations of these standards and to establish appropriate fees to offset costs associated with implementation.

Sec. 32-517. Authority.

This article is adopted pursuant to the provisions of S.C. Code § 4-9-25 and § 4-9-30. Personnel employed by the county as planning and zoning officials, code enforcement officers, building code officials, and personnel employed by the sheriff of the county are vested with the authority to enforce and administer signage control within the county.

Sec. 32-518. Jurisdiction and Appeals.

a. The regulations set forth in this article shall be applicable within the unincorporated areas of the county. All billboards and signs proposed to be constructed in the unincorporated areas of the county shall be permitted under, and/or governed by, these regulations. Billboards and signs existing at the time of the adoption of these standards shall be considered exempt, with the exception of any structure considered abandoned, disassembled, or otherwise removed from a site.

b. Appeals of staff decisions. Decisions made by the Planning director or their designee related to the issuance or denial of a sign permit may be appealed to the Oconee County Board of Zoning Appeals pursuant to the South Carolina Code of Laws and the Oconee County Code of Ordinances.

Sec. 32-519. Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Where applicable, words used in the present tense include the future tense, and the singular includes the plural.

*Abandoned billboard or sign* means a billboard or sign which is not being maintained as required by this article, which has an obsolete advertising message or no advertising message, or one for which a permit has not been obtained or is not current. Public service signage shall not be considered abandoned under this definition.

*Billboard* means any advertising structure that directs persons to a different location from where the billboard is located or which is otherwise "off-premises" but makes no reference to a location.

*Building mounted sign or billboard* means any sign or billboard attached to, or artistically rendered upon (such as a painting), a building or canopy/awning attached to a building or structure.

*Excepted billboard* means a billboard falling within one of the following categories that are excepted from the county's general billboard prohibition: (1) a billboard which is visible from Interstate 85 and which is erected with the purpose of its message being read from the traveled way of Interstate 85, as determined by the Planning Director; (2) a billboard which is less than thirty-three (33) square feet in size and less than ten (10) linear feet in height; (3) a billboard erected by or for a governmental entity for a public purpose; and (4) an Existing billboard.

*Existing billboard* means a billboard lawfully erected within the boundaries of the county prior to the adoption of this article, as amended by Oconee County Ordinance 2020-\_\_\_.

*Group development* means any aggregate non-residential, mixed-use, and/or multi-family development project, commonly referred to as (by way of example and not limitation) a strip mall, mall, town-center development, apartment or condominium complex, or town-home community, which is constructed on one or multiple lots of land.

*Sign* means any sign structure or combination of sign structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, advertising structure, advertisement, logo, symbol or other form which is designated, intended, or used to advertise or inform in relation to the premises on which it is located, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, or specific information panels erected, caused to be erected, or approved by the state department of transportation; signs erected by or for a governmental entity for a public purpose are also excluded from operation of this article.

*Sign area* means the entire face of a sign or billboard, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. For non-rectangular signs or billboards, the sign area shall be equal to that of the smallest rectangle that encompasses all features of that sign or billboard. For stacked signs or billboards, the sign area shall be that of the small rectangle that encompasses all signs or billboards in the stack.

*Sign permit* means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard, or a permit obtained for any sign or billboard to be placed on public property, including a county-owned or operated right-of-way.

*Stacked sign or billboard* means any structure so configured to present two or more sign areas at different elevations and/or presenting two or more sign areas facing in the same direction.

*Temporary Billboard* means a billboard placed in a location, or intended for a use, that is clearly not permanent in nature. A billboard with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary billboard.

*Temporary Sign* means a sign placed in a location, or intended for a use, that is clearly not permanent in nature. A sign with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary sign.

#### Sec. 32-520. Billboards.

1. Only Excepted billboards are authorized within the unincorporated area of the county.
2. No billboard shall be erected within one thousand and three hundred (1,300) feet of another billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the location of an existing billboard to the proposed site.
3. Maximum sign area for any billboard is six hundred and seventy-two (672) square feet.
4. No billboard shall be located along any federal, state, or county designated scenic highway or roadway.
5. Stacked billboards are permitted subject to the sign area calculation in section 32-519.
6. Billboards less than thirty-three (33) square in size feet are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of billboards is less than thirty-three (33) square feet in size exceeds thirty-three (33) square feet on a given lot. This exemption applies to internal directional or wayfinding signage.
7. Replacing any billboard for content change, repair, or other replacement, provided the square footage of the billboard does not increase, is exempt from permitting under this article.

8. This ordinance does not apply to temporary billboards.

Sec. 32-521. General provisions applicable to signs – (monument, pole, and similar signs):

1. The following provisions apply to all signs unless a special provision contained in this article clearly indicates otherwise:
2. Number. One sign is authorized for each one hundred (100) linear feet of road frontage.
3. Size. The maximum allowable sign area per sign is seventy-five (75) square feet.
4. Height. The maximum allowable height of a sign is twenty (20) feet.
5. Setbacks. All signs shall be setback five (5) feet from the front property line and (10) ten feet from the side and rear property lines. No portion of a sign may extend into a right-of-way, over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.
6. Building mounted signs. Building mounted signs are not subject to the numerical limits above; however, the maximum size of any one building mounted sign is one hundred and fifty (150) square feet, and the total sign area per building may not exceed two hundred (200) square feet. Additionally, roof mounted signs must be approved as a special exception by the Oconee County Board of Zoning Appeals.
7. Illumination.
  - i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
  - ii. No sign shall be erected, or any existing sign operated, where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
  - iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
  - iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential property.
  - v. No sign's light source shall be located so that it may be seen from residential property.
8. Automatic changeable message devices. Not permitted.
9. Moving / rotating signage. Not permitted.
10. Window signs. Window signs shall be static and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building mounted signage. Window signs shall be legible only from the premises on which they are located.
11. Signs and billboards on public property. Any sign or billboard installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign or billboard from the owner or the person who placed it.
12. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.

13. Corner lots and double frontage properties. Each frontage is allowed the specified amount of ground signage indicated in this section 32-521.

14. Signs exempt from permitting:

- i. Signs less than thirty-three (33) square feet in size are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein. This exemption applies to internal directional or wayfinding signage.
- ii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not increase.

15. This ordinance does not apply to temporary signs.

Sec. 32-522. Special provisions applicable to residential subdivision entrance signage.

- 1. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of rights-of-way and shall not encroach into any corner sight visibility triangle.
- 2. Subdivision entrance signs may be internally or externally illuminated.
- 3. Subdivision entrance signs shall not exceed seventy-five (75) square feet; shall be designed as a monument or ground sign; and shall not exceed twenty (20) feet in height. Such signs may, however, be incorporated into a wall, fence, or other structure that also shall not exceed twenty (20) feet in height. Such structures shall be located at least fifteen (15) feet from rights-of-way and shall be subject to all applicable building codes and permitting.

Sec. 32-523. Special provisions applicable group development signage.

- 1. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director.
- 2. Individual businesses and developments within Group developments will not be permitted to construct their own ground signage along public right-of-ways.
- 3. Group development ground signs (monument, pole, and similar Signs):

Maximum number of ground signs in relation to road frontage	Maximum number of individual signs per ground sign	Total sign area, combined, per ground sign	Maximum height
Up to two hundred (200) linear feet of road frontage - two (2) ground Signs permitted	Five (5)	One hundred (100) square feet	Twenty (20) feet
More than two hundred (200) linear feet – three (3) ground Signs permitted	Ten (10)	Two hundred (200) square feet	Twenty (20) feet

- 4. Setbacks. All signs shall be setback five (5) feet from the front property line and ten (10) feet from the side and rear property lines. No portion of the sign may extend into the right-of-way,



over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.

5. Group development building mounted signs: canopy, marquee, wall, and similar signs.
  - a. Number of signs limited to two (2) per business.
  - b. Maximum square footage is limited to one hundred and fifty (150) square feet per sign.
  - c. Lighting, if any, shall be internal or downward facing.

Sec. 32-524 - Lake Corridors' signage standards.

1. Jurisdiction. The regulations set forth in this section shall be applicable to developments within the unincorporated areas of the county along the following corridors with on-premise signage ("lake corridor signs") visible from the following corridors:
  - a. South Carolina Highway 130 from the City of Seneca municipal boundary to the Town of Salem municipal boundary;
  - b. South Carolina Highway 183 from South Carolina Highway 188 to the Pickens County-line;
  - c. South Carolina Highway 188.

These provisions are in addition to and supplement the remainder of the Sign Control Ordinance of Oconee County, South Carolina. To the extent there is a conflict between a provision in this section and the remaining provisions of the Sign Control Ordinance of Oconee County, South Carolina, the terms of this section apply.

2. General provisions applicable to lake corridor signs. The following provisions apply to all lake corridor signs unless a special provision contained in this section clearly indicates otherwise:
  - a. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
  - b. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line, or over a public or private right-of-way.
  - c. Quantity. One (1) free-standing sign and one (1) building-mounted sign per lot unless otherwise indicated in this article.
  - d. Area of free-standing signs. Up to thirty-three (33) square feet.
  - e. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the total building façade that is facing a public or private right-of-way, and the sign must be installed flush with the building and project no more than twenty-four (24) inches.
  - f. Canopy & awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the otherwise permitted sign types.

- g. Illumination:
    - i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
    - ii. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
    - iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
    - iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.
    - v. No sign's light source shall be located so that it may be seen from residential lot.
  - h. Automatic changeable message devices. Not permitted.
  - i. Moving/rotating signage. Not permitted.
  - j. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.
  - k. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this section and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.
  - l. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
  - m. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of ground signage indicated in Sec. 32-524.2(c).
3. Special provisions applicable to group development signage.
- a. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director or their designee
  - b. Individual businesses and developments within Group developments will not be permitted to construct their own free-standing signage along public or private right-of-ways.
  - c. All group development signage shall adhere to the following standards:

- i. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
- ii. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line or over a public or private right-of-way.
- iii. Quantity and area of free-standing signs. Lots with 1-3 businesses may have 1-3 signs totaling no more than thirty-three (33) square feet, when combined, on one sign structure. Lots with four or more businesses, the sign size may be increased by two (2) sq. ft. for each number of businesses over three (3).
- iv. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the building's total façades facing a public or private right-of-way and must be installed flush with the building and project no more than 24 inches.
- v. Canopy and awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the two otherwise permitted sign types.
- vi. Illumination:
  - a. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
  - b. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
  - c. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
  - d. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.
  - e. No sign's light source shall be located so that it may be seen from residential lot.
- vii. Automatic changeable message devices. Not permitted.
- viii. Moving/rotating signage. Not permitted.
- ix. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.
- x. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the

right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.

- xi. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
- xii. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of free-standing and building mounted signage indicated in this Sec 32-524.3(c)iii.

4. Residential subdivisions.

a. Special provisions applicable to residential subdivision entrance signage.

- i. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of right-of-ways and shall not encroach into any corner sight visibility triangle.
- ii. Square footage of each sign may not exceed thirty-three (33) square feet

5. Exempt signs.

a. The following signage, which is exempt from obtaining a land-use permit under this section, must nonetheless follow all General Provisions in Sec. 32-524.2.

- i. Miscellaneous signs. A sign which does not directly call attention to the place, product, institution, business, organization, activity or service available on the premises. Examples include, "no trespassing/hunting/soliciting," and memberships in associations, cooperatives, fraternal organizations or the like.

And; that are less than less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- ii. Temporary signs such as, but not limited to, the following and as defined in Sec. 32-519:

- Construction
- Political
- Special event
- Real estate
- Seasonal farm and forestry products
- Garage and yard sale

And; that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- iii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not change and the dimensions or location of the support structure of the signage does not change.

- iv. No exempt sign shall be placed in any public right-of-way.
- v. No exempt sign shall create an unsafe environment for vehicular or pedestrian travel.
- vi. Signage required by local, state or federal regulations for life-safety purposes are exempt.
- vii. Internal directional or wayfinding signage that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

6. Prohibited signs

The following signs are expressly prohibited, unless otherwise stated in this section:

- a. Animated and Moving Signs. A sign or other display with either kinetic or illusionary motion powered by natural, manual, mechanical, electrical or other means, including but not limited to flags having commercial messages, and all pennants, banners, streamers, propellers, and discs, as well as flashing signs, signs with illuminated elements that are used to simulate the impression of motion, and searchlights.
- b. Flashing and Message Signs. Any signs that include lights or messages which change flash, blink or turn on and off intermittently, but specifically excluding time and temperature signs which display no other text or images.
- c. Glaring Signs. Signs with light sources or which reflect brightness in a manner which constitutes a hazard or nuisance. This includes signs with fluorescent text, graphics or background, as well as holographic signs.
- d. Obstructive Signs. A sign or other advertising devise erected or maintained at any road intersection in a manner so as to obstruct free and clear vision of the intersection.
- e. Posters and Handbills. Any signs affixed to any structures, trees or other natural vegetation, rocks or poles.
- f. Signs of any type or size are not permitted on public utility poles, public lighting poles, or other similar structures.
- g. Roof mounted signs.
- h. Simulated traffic signs and obstructions. Any sign which may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstruct the sight-distance triangle at any road intersection or extend into the public right-of-way.
- i. Banners spanning county roadways are prohibited. Banners spanning state roadways require permission from the South Carolina Department of Transportation and issuance of a highway occupancy permit.

j. Street rights-of-way. No sign or advertising device, including projecting signs, shall be located in or project over any road right-of-way nor be located within the clear sight triangle of any intersection. Exceptions include public signs or signs erected by a governmental agency.

k. Lights or other devices used on a temporary basis on parcels on which carnivals, fairs, or other similar temporary activities are held.

l. Vehicle signs. Any sign displayed on a parked trailer or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity. This section shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes.

m. A-frame/wheeled signs. Any portable "A" frame or similar portable sign is prohibited except on a temporary basis not to exceed seventy-two (72) consecutive hours not more than once per year.

n. Sign emissions. No sign which emits smoke, visible vapors, particles, sound or odor shall be permitted.

o. Mirrors. No mirrors or mirror devices shall be used as part of any sign

#### Sec. 32-525. Abandoned billboards and signs.

An abandoned billboard or sign, as defined by this article, shall be removed by the owner thereof or the owner of the property upon which the billboard or sign is located within forty-five (45) days of notification by the county that the billboard or sign is deemed abandoned. The billboard or sign owner and/or the property owner may appeal the county's designation of the billboard or sign as abandoned to the magistrate's court of the county during the forty-five (45) day period to remove the billboard or sign. If the property owner files a timely appeal, the time period for removing the billboard or sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned billboard or sign is removed, the billboard or sign owner and/or the property owner shall have the right to replace it in the same location with a new billboard or sign of the same size and height for a period of six (6) months from the date of removal.

#### Sec. 32-526. Billboard and sign submittal process.

1. Signs and billboards permitted under these regulations shall impose no obvious hazards to any drivers, pedestrians, bicyclists, or other users of any public road in the unincorporated areas of the county. As such, the following materials shall be submitted to the planning director or his/her designee at the time of application:
  - a. A completed application form;
  - b. s persons to a different location from where the billboard is locat the state, noting the proposed location of the structure, and verification that the new sign or billboard meets all location requirements set forth in this article;
  - c. A set of construction plans, to include all proposed lighting features. All plans submitted shall be stamped by appropriate professionals licensed by the state; and
  - d. Payment of required fees.

#### Sec. 32-527. Maintenance requirements.

All signage subject to this article must be structurally safe and maintained in a good state of repair which includes, but is not limited to, the following:

1. The sign area must be maintained free of peeling, chipping, rusting, wearing and fading so as to be fully legible at all times.
2. All parts of the sign, including the cutouts, extensions, border, trim, and sign structure must be maintained in a safe manner, free from rusting, rotting, breaking and other deterioration.
3. The sign face must not have any vegetation growing upon it or touching or clinging to it.

**Sec. 32-528. Fees.**

Fees shall be established for the cost of a sign permit by county council from time to time.

**Sec. 32-529. Permits.**

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director or his/her designee for construction of the billboard or sign. The land use permit shall be valid for six (6) months from the date of issue; the owner/agent may be granted a one-time six (6) month extension, provided a written request is submitted to the planning director no later than seven (7) working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting the reason for the extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard or sign. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to begin construction of a sign. No building permit, or other county-issued permits, certification or approval, shall be issued for a billboard or sign prior to the issuance of the land use permit. Replacing any billboard or sign face with no change in sign area, structure, or use of electricity does not require a permit.

**Sec. 32-530. Penalties.**

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to five hundred and 00/100 dollars (\$500.00) or imprisoned for thirty (30) days or both.

**Secs. 32-531 - 32-600. Reserved.**

Oconee County, South Carolina



# **Attachment B**

## **highlights proposed changes**



Attachment B

*Ordinance 2021-05*

(Highlights denote new or changed language.)

Sec. 32-515. Title.

This article shall be known as the “Sign Control Ordinance of Oconee County, South Carolina.”

Sec. 32-516. Purpose.

It is the purpose of this article to establish regulations for the safe and orderly placement of all signage to which this article applies in the unincorporated areas of the county; also, this article shall establish penalties necessary to discourage violations of these standards and to establish appropriate fees to offset costs associated with implementation.

Sec. 32-517. Authority.

This article is adopted pursuant to the provisions of S.C. Code § 4-9-25 and § 4-9-30. Personnel employed by the county as planning and zoning officials, code enforcement officers, building code officials, and personnel employed by the sheriff of the county are vested with the authority to enforce and administer signage control within the county.

Sec. 32-518. Jurisdiction and Appeals.

a. The regulations set forth in this article shall be applicable within the unincorporated areas of the county. All billboards and signs proposed to be constructed in the unincorporated areas of the county shall be permitted under, and/or governed by, these regulations. Billboards and signs existing at the time of the adoption of these standards shall be considered exempt, with the exception of any structure considered abandoned, disassembled, or otherwise removed from a site.

b. Appeals of staff decisions. Decisions made by the Planning director or their designee related to the issuance or denial of a sign permit may be appealed to the Oconee County Board of Zoning Appeals pursuant to the South Carolina Code of Laws and the Oconee County Code of Ordinances.

Sec. 32-519. Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Where applicable, words used in the present tense include the future tense, and the singular includes the plural.

*Abandoned billboard or sign* means a billboard or sign which is not being maintained as required by this article, which has an obsolete advertising message or no advertising message, or one for which a permit has not been obtained or is not current. Public service signage shall not be considered abandoned under this definition.

*Billboard* means any advertising structure that directs persons to a different location from where the billboard is located or which is otherwise "off-premises" but makes no reference to a location.

*Building mounted sign* or billboard means any sign or billboard attached to, or artistically rendered upon (such as a painting), a building or canopy/awning attached to a building or structure.

*Excepted billboard* means a billboard falling within one of the following categories that are excepted from the county’s general billboard prohibition: (1) a billboard which is visible from Interstate 85 and which is erected with the purpose of its message being read from the traveled way of Interstate 85, as determined by the Planning Director; (2) a billboard which is less than thirty-three (33) square feet in size and less than ten (10) linear feet in height; (3) a billboard erected by or for a governmental entity for a public purpose; and (4) an Existing billboard.

*Existing billboard* means a billboard lawfully erected within the boundaries of the county prior to the adoption of this article, as amended by Oconee County Ordinance 2020-\_\_\_.

*Group development* means any aggregate non-residential, mixed-use, and/or multi-family development project, commonly referred to as (by way of example and not limitation) a strip mall, mall, town-center development, apartment or condominium complex, or town-home community, which is constructed on one or multiple lots of land.

*Sign* means any sign structure or combination of sign structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, advertising structure, advertisement, logo, symbol or other form which is designated, intended, or used to advertise or inform in relation to the premises on which it is located, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, or specific information panels erected, caused to be erected, or approved by the state department of transportation; signs erected by or for a governmental entity for a public purpose are also excluded from operation of this article.

*Sign area* means the entire face of a sign or billboard, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. For non-rectangular signs or billboards, the sign area shall be equal to that of the smallest rectangle that encompasses all features of that sign or billboard. For stacked signs or billboards, the sign area shall be that of the small rectangle that encompasses all signs or billboards in the stack.

*Sign permit* means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard, or a permit obtained for any sign or billboard to be placed on public property, including a county-owned or operated right-of-way.

*Stacked sign or billboard* means any structure so configured to present two or more sign areas at different elevations and/or presenting two or more sign areas facing in the same direction.

*Temporary Billboard* means a billboard placed in a location, or intended for a use, that is clearly not permanent in nature. A billboard with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary billboard.

*Temporary Sign* means a sign placed in a location, or intended for a use, that is clearly not permanent in nature. A sign with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary sign.

#### Sec. 32-520. Billboards.

1. Only Excepted billboards are authorized within the unincorporated area of the county.
2. No billboard shall be erected within one thousand and three hundred (1,300) feet of another billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the location of an existing billboard to the proposed site.
3. Maximum sign area for any billboard is six hundred and seventy-two (672) square feet.
4. No billboard shall be located along any federal, state, or county designated scenic highway or roadway.
5. Stacked billboards are permitted subject to the sign area calculation in section 32-519.
6. Billboards less than thirty-three (33) square in size feet are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of billboards is less than thirty-three (33) square feet in size exceeds thirty-three (33) square feet on a given lot. This exemption applies to internal directional or wayfinding signage.

7. Replacing any billboard for content change, repair, or other replacement, provided the square footage of the billboard does not increase, is exempt from permitting under this article.
8. This ordinance does not apply to temporary billboards.

Sec. 32-521. General provisions applicable to signs – (monument, pole, and similar signs):

1. The following provisions apply to all signs unless a special provision contained in this article clearly indicates otherwise:
  2. Number. One sign is authorized for each one hundred (100) linear feet of road frontage.
  3. Size. The maximum allowable sign area per sign is seventy-five (75) square feet.
  4. Height. The maximum allowable height of a sign is twenty (20) feet.
  5. Setbacks. All signs shall be setback five (5) feet from the front property line and (10) ten feet from the side and rear property lines. No portion of a sign may extend into a right-of-way, over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.
  6. Building mounted signs. Building mounted signs are not subject to the numerical limits above; however, the maximum size of any one building mounted sign is one hundred and fifty (150) square feet, and the total sign area per building may not exceed two hundred (200) square feet. Additionally, roof mounted signs must be approved as a special exception by the Oconee County Board of Zoning Appeals.
  7. Illumination.
    - i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
    - ii. No sign shall be erected, or any existing sign operated, where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
    - iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
    - iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential property.
    - v. No sign's light source shall be located so that it may be seen from residential property.
  8. Automatic changeable message devices. Not permitted.
  9. Moving / rotating signage. Not permitted.
  10. Window signs. Window signs shall be static and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building mounted signage. Window signs shall be legible only from the premises on which they are located.
  11. Signs and billboards on public property. Any sign or billboard installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign or billboard from the owner or the person who placed it.

12. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
13. Corner lots and double frontage properties. Each frontage is allowed the specified amount of ground signage indicated in this section 32-521.
14. Signs exempt from permitting:
  - i. Signs less than thirty-three (33) square feet in size are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein. This exemption applies to internal directional or wayfinding signage.
  - ii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not increase.
15. This ordinance does not apply to temporary signs.

**Sec. 32-522. Special provisions applicable to residential subdivision entrance signage.**

1. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of rights-of-way and shall not encroach into any corner sight visibility triangle.
2. Subdivision entrance signs may be internally or externally illuminated.
3. Subdivision entrance signs shall not exceed seventy-five (75) square feet; shall be designed as a monument or ground sign; and shall not exceed twenty (20) feet in height. Such signs may, however, be incorporated into a wall, fence, or other structure that also shall not exceed twenty (20) feet in height. Such structures shall be located at least fifteen (15) feet from rights-of-way and shall be subject to all applicable building codes and permitting.

**Sec. 32-523. Special provisions applicable group development signage.**

1. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director.
2. Individual businesses and developments within Group developments will not be permitted to construct their own ground signage along public right-of-ways.
3. Group development ground signs (monument, pole, and similar Signs):

<b>Maximum number of ground signs in relation to road frontage</b>	<b>Maximum number of individual signs per ground sign</b>	<b>Total sign area, combined, per ground sign</b>	<b>Maximum height</b>
Up to two hundred (200) linear feet of road frontage - two (2) ground Signs permitted	Five (5)	One hundred (100) square feet	Twenty (20) feet
More than two hundred (200) linear feet – three (3) ground Signs permitted	Ten (10)	Two hundred (200) square feet	Twenty (20) feet

4. Setbacks. All signs shall be setback five (5) feet from the front property line and ten (10) feet from the side and rear property lines. No portion of the sign may extend into the right-of-way, over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.
5. Group development building mounted signs: canopy, marquee, wall, and similar signs.
  - a. Number of signs limited to two (2) per business.
  - b. Maximum square footage is limited to one hundred and fifty (150) square feet per sign.
  - c. Lighting, if any, shall be internal or downward facing.

**Sec. 32-524 - Lake Corridors' signage standards.**

1. Jurisdiction. The regulations set forth in this section shall be applicable to developments within the unincorporated areas of the county along the following corridors with on-premise signage ("lake corridor signs") visible from the following corridors:
  - a. South Carolina Highway 130 from the City of Seneca municipal boundary to the Town of Salem municipal boundary;
  - b. South Carolina Highway 183 from South Carolina Highway 188 to the Pickens County-line;
  - c. South Carolina Highway 188.

These provisions are in addition to and supplement the remainder of the Sign Control Ordinance of Oconee County, South Carolina. To the extent there is a conflict between a provision in this section and the remaining provisions of the Sign Control Ordinance of Oconee County, South Carolina, the terms of this section apply.

2. General provisions applicable to lake corridor signs. The following provisions apply to all lake corridor signs unless a special provision contained in this section clearly indicates otherwise:
  - a. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
  - b. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line, or over a public or private right-of-way.
  - c. Quantity. One (1) free-standing sign and one (1) building-mounted sign per lot unless otherwise indicated in this article.
  - d. Area of free-standing signs. Up to thirty-three (33) square feet.
  - e. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the total building façade that is facing a public or private right-of-way, and the sign must be installed flush with the building and project no more than twenty-four (24) inches.

f. Canopy & awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the otherwise permitted sign types.

g. Illumination:

i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.

ii. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.

iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.

iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.

v. No sign's light source shall be located so that it may be seen from residential lot.

h. Automatic changeable message devices. Not permitted.

i. Moving/rotating signage. Not permitted.

j. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.

k. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this section and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.

l. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.

m. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of ground signage indicated in Sec. 32-524.2(c).

3. Special provisions applicable to group development signage.

a. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director or their designee

b. Individual businesses and developments within Group developments will not be permitted to construct their own free-standing signage along public or private right-of-ways.

c. All group development signage shall adhere to the following standards:

- i. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
- ii. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line or over a public or private right-of-way.
- iii. Quantity and area of free-standing signs. Lots with 1-3 businesses may have 1-3 signs totaling no more than thirty-three (33) square feet, when combined, on one sign structure. Lots with four or more businesses, the sign size may be increased by two (2) sq. ft. for each number of businesses over three (3).
- iv. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the building's total façades facing a public or private right-of-way and must be installed flush with the building and project no more than 24 inches.
- v. Canopy and awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the two otherwise permitted sign types.
- vi. Illumination:
  - a. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
  - b. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
  - c. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
  - d. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.
  - e. No sign's light source shall be located so that it may be seen from residential lot.
- vii. Automatic changeable message devices. Not permitted.
- viii. Moving/rotating signage. Not permitted.
- ix. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.
- x. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject

to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.

- xi. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
- xii. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of free-standing and building mounted signage indicated in this Sec 32-524.3(c)iii.

4. Residential subdivisions.

a. Special provisions applicable to residential subdivision entrance signage.

- i. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of right-of-ways and shall not encroach into any corner sight visibility triangle.
- ii. Square footage of each sign may not exceed thirty-three (33) square feet

5. Exempt signs.

a. The following signage, which is exempt from obtaining a land-use permit under this section, must nonetheless follow all General Provisions in Sec. 32-524.2.

- i. Miscellaneous signs. A sign which does not directly call attention to the place, product, institution, business, organization, activity or service available on the premises. Examples include, “no trespassing/hunting/soliciting,” and memberships in associations, cooperatives, fraternal organizations or the like.

And; that are less than less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- ii. Temporary signs such as, but not limited to, the following and as defined in Sec. 32-519:

- Construction
- Political
- Special event
- Real estate
- Seasonal farm and forestry products
- Garage and yard sale

And; that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- iii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not change and the



dimensions or location of the support structure of the signage does not change.

- iv. No exempt sign shall be placed in any public right-of-way.
- v. No exempt sign shall create an unsafe environment for vehicular or pedestrian travel.
- vi. Signage required by local, state or federal regulations for life-safety purposes are exempt.
- vii. Internal directional or wayfinding signage that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

## 6. Prohibited signs

The following signs are expressly prohibited, unless otherwise stated in this section:

a. Animated and Moving Signs. A sign or other display with either kinetic or illusionary motion powered by natural, manual, mechanical, electrical or other means, including but not limited to flags having commercial messages, and all pennants, banners, streamers, propellers, and discs, as well as flashing signs, signs with illuminated elements that are used to simulate the impression of motion, and searchlights.

b. Flashing and Message Signs. Any signs that include lights or messages which change flash, blink or turn on and off intermittently, but specifically excluding time and temperature signs which display no other text or images.

c. Glaring Signs. Signs with light sources or which reflect brightness in a manner which constitutes a hazard or nuisance. This includes signs with fluorescent text, graphics or background, as well as holographic signs.

d. Obstructive Signs. A sign or other advertising device erected or maintained at any road intersection in a manner so as to obstruct free and clear vision of the intersection.

e. Posters and Handbills. Any signs affixed to any structures, trees or other natural vegetation, rocks or poles.

f. Signs of any type or size are not permitted on public utility poles, public lighting poles, or other similar structures.

g. Roof mounted signs.

h. Simulated traffic signs and obstructions. Any sign which may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstruct the sight-distance triangle at any road intersection or extend into the public right-of-way.

i. Banners spanning county roadways are prohibited. Banners spanning state roadways require permission from the South Carolina Department of Transportation and issuance of a highway occupancy permit.

j. Street rights-of-way. No sign or advertising device, including projecting signs, shall be located in or project over any road right-of-way nor be located within the clear sight triangle of any intersection. Exceptions include public signs or signs erected by a governmental agency.

k. Lights or other devices used on a temporary basis on parcels on which carnivals, fairs, or other similar temporary activities are held.

l. Vehicle signs. Any sign displayed on a parked trailer or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity. This section shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes.

m. A-frame/wheeled signs. Any portable "A" frame or similar portable sign is prohibited except on a temporary basis not to exceed seventy-two (72) consecutive hours not more than once per year.

n. Sign emissions. No sign which emits smoke, visible vapors, particles, sound or odor shall be permitted.

o. Mirrors. No mirrors or mirror devices shall be used as part of any sign

Sec. 32-525. Abandoned billboards and signs.

An abandoned billboard or sign, as defined by this article, shall be removed by the owner thereof or the owner of the property upon which the billboard or sign is located within forty-five (45) days of notification by the county that the billboard or sign is deemed abandoned. The billboard or sign owner and/or the property owner may appeal the county's designation of the billboard or sign as abandoned to the magistrate's court of the county during the forty-five (45) day period to remove the billboard or sign. If the property owner files a timely appeal, the time period for removing the billboard or sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned billboard or sign is removed, the billboard or sign owner and/or the property owner shall have the right to replace it in the same location with a new billboard or sign of the same size and height for a period of six (6) months from the date of removal.

Sec. 32-526. Billboard and sign submittal process.

1. Signs and billboards permitted under these regulations shall impose no obvious hazards to any drivers, pedestrians, bicyclists, or other users of any public road in the unincorporated areas of the county. As such, the following materials shall be submitted to the planning director or his/her designee at the time of application:
  - a. A completed application form;
  - b. A detailed site plan prepared and stamped by a surveyor licensed by the state, noting the proposed location of the structure, and verification that the new sign or billboard meets all location requirements set forth in this article;
  - c. A set of construction plans, to include all proposed lighting features. All plans submitted shall be stamped by appropriate professionals licensed by the state; and
  - d. Payment of required fees.

Sec. 32-527. Maintenance requirements.

All signage subject to this article must be structurally safe and maintained in a good state of repair which includes, but is not limited to, the following:

1. The sign area must be maintained free of peeling, chipping, rusting, wearing and fading so as to be fully legible at all times.
2. All parts of the sign, including the cutouts, extensions, border, trim, and sign structure must be maintained in a safe manner, free from rusting, rotting, breaking and other deterioration.
3. The sign face must not have any vegetation growing upon it or touching or clinging to it.

**Sec. 32-528. Fees.**

Fees shall be established for the cost of a sign permit by county council from time to time.

**Sec. 32-529. Permits.**

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director or his/her designee for construction of the billboard or sign. The land use permit shall be valid for six (6) months from the date of issue; the owner/agent may be granted a one-time six (6) month extension, provided a written request is submitted to the planning director no later than seven (7) working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting the reason for the extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard or sign. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to begin construction of a sign. No building permit, or other county-issued permits, certification or approval, shall be issued for a billboard or sign prior to the issuance of the land use permit. Replacing any billboard or sign face with no change in sign area, structure, or use of electricity does not require a permit.

**Sec. 32-530. Penalties.**

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to five hundred and 00/100 dollars (\$500.00) or imprisoned for thirty (30) days or both.

**Secs. 32-531 - 32-600. Reserved.**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2021-06**

AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF TRAFFIC CORRIDOR DESIGN STANDARDS, AND OTHER MATTERS RELATED THERETO.

**WHEREAS**, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

**WHEREAS**, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (“Code of Ordinances”), as amended;

**WHEREAS**, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County;

**WHEREAS**, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend Article VI (Land Development and Subdivision Regulations) of Chapter 32 of the Code of Ordinances, by revising Sections 32-212 (Definitions) and 32-218 (hereafter “Nonresidential, Multi-family Residential, and Mixed Use Development along Specific Corridors”), as reflected on Attachment A hereto;

**WHEREAS**, County Council has therefore determined to modify Article VI of Chapter 32 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

**NOW THEREFORE**, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Sections 32-212 and 32-218 of the Code of Ordinances are hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and incorporated herein by reference. Attached hereto as Attachment B is a version of Sections 32-212

and 32-218 of the Code of Ordinances showing the changes made to the existing provisions; it is for illustrative purposes only, and shall not be codified.

2. County Council hereby approves and adopts Attachment A as the applicable land use provisions of the County and directs that a public hearing thereon be undertaken by the Oconee County Planning Commission.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing contained herein, however, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning act, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.

6. This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Katie D. Smith  
Clerk to Oconee County Council

\_\_\_\_\_  
John Elliott  
Chair, Oconee County Council

First Reading: January 19, 2021  
Second Reading: February 2, 2021  
Third Reading: \_\_\_\_\_  
Public Hearing: February 16, 2021

Attachment A

*Ordinance 2021-06*

ARTICLE VI. - LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

Sec. 32-212. - Definitions.

*Add the following:*

**Mixed-use development** means a development on one or more lots developed or proposed to be developed in one or more phases which includes a mixture of residential classifications (single-family, multi-family, etc.), a mixture of residential and non-residential uses, and/or a mixture of residential typologies and non-residential uses.

Sec. 32-218.

*Restate as follows:*

– Nonresidential, multi-family residential, and mixed-use development along specific corridors.

- (a) Standards. In addition to the principles and standards in this article, the applicant shall demonstrate that the design, traffic and safety, road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. It is wholly the responsibility of the property owner to build and maintain to the standards of this article. Any new development or existing development expanding by more than 50% of its existing area will be required to adhere to the regulations of this article.

If a proposed development includes land that is partially or wholly proposed for commercial, industrial or other nonresidential purposes, multi-family residential, or a mixture of residential and non-residential uses, and has direct or indirect access to the specific corridors indicated in this article, the layout of the proposed development and/or expansion shall incorporate the provisions and facilities required by the standards set forth in this article.

This article applies, in whole or in part, to the following corridors:

S.C. Highway 11

S.C. Highway 28

S.C. Highway 59

S.C. Highway 76

S.C. Highway 123

S.C. Highway 130

S.C. Highway 183

- (b) Exemptions. Agricultural and Forestry uses as defined by the South Carolina Right to Farm Act (S.C. Code § 46-45-10, et seq.) and the South Carolina Right to Practice Forestry Act (S. C. Code § 48-23-205, et seq.).
- (c) Franchise architecture. Franchise architecture is defined as building design that is trademarked or identified with a particular franchise chain or corporation and is generic or standard in nature.

Franchises or national chains must follow the standards of this article in order to create a building that enhances the character to the corridor.

(d) **Parking.** Each development shall provide adequate off-street parking for their customers, employees, and deliveries. Parking for one development shall not interfere with the parking, operations, and/or vehicular movement of another development.

(e) **Traffic and Safety.**

- (1) Applications for proposed projects to which this article applies shall provide written verification from the South Carolina Department of Transportation (SCDOT) indicating any and all traffic and safety implementation standards required of the proposed project. All infrastructure required by the SCDOT shall be implemented or constructed prior to a certificate of completion, permanent power, or certificate of occupancy being issued.
- (2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
- (3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.
- (4) Roads to be utilized for carrying nonresidential traffic, especially heavy-equipment, tractor-trailers or heavy-truck traffic, shall not be extended to the boundaries of adjacent residential areas.

(f) **Design Standard One.**

(1) **Applicable corridors:**

- a. S.C. Highway 11: Southern terminus to Town of West Union municipal boundary
- b. S.C. Highway 28: Northern terminus to City of Walhalla municipal boundary
- c. S.C. Highway 59: Intersection of S.C. Highway 24 to the boundary of the I-85 Overlay
- d. S.C. Highway 76: Western terminus to the City of Westminster municipal boundary
- e. S.C. Highway 123: City of Westminster municipal boundary to southern terminus
- f. S.C. Highway 130: Town of Salem municipal boundary to northern terminus
- g. S.C. Highway 183: City of Walhalla municipal boundary to S.C. Highway 188.

(2) **Building orientation and entrances:**

- a. All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc.
- b. Any portion of a building facade facing a public right-of-way that exceeds twenty-five (25) feet in length shall incorporate windows or architectural design elements to break up the expanse of wall and add visual diversity. Example elements include, but are not limited to windows, doors, lighting, material changes, articulated or sculptured wall surfaces or shadow lines, vertical accents, texture changes or color changes, commissioned murals by professional artists, or other architectural features.

(3) **Building materials and colors**

- a. Materials not-permitted to be incorporated into a building's facade adjacent to public or private right of ways:
  1. Painted concrete block
  2. Asphalt shingles.
- b. Materials that are encouraged to be used are:

1. Timber framing or structural elements - natural or artificial
2. Stone foundation, structure, or veneer - natural or artificial
3. Rough wooden siding - natural or artificial
4. Stucco
5. Glass – glazing and framing elements
6. Colors - Florescent and phosphorescent colors are prohibited.

(g) Design Standard Two

(1) Applicable corridors:

- a. S.C. Highway 11: Town of West Union municipal boundary to northern terminus
- b. S.C. Highway 28: City of Walhalla municipal boundary to City of Seneca municipal boundary
- c. S.C. Highway 123: City of Seneca municipal boundary to the Pickens County line
- d. S.C. Highway 123: City of Seneca municipal boundary to City of Westminster municipal boundary
- e. S.C. Highway 130: City of Seneca municipal boundary to Town of Salem municipal boundary
- f. S.C. Highway 183: Intersection of S.C. Highway 188 to Eastern terminus
- g. S.C. Highway 188: Entire length.

(2) Building orientation and entrances

All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc. The front façade must be broken up using columns, an entrance portico, roof overhangs, or the like to avoid the appearance of a monolithic slab.

(3) Colors. Florescent and phosphorescent colors are prohibited.

(4) Facades. Facades facing a public or private right-of-way shall incorporate the following design elements:

Design element	Minimum
Timber framing or structural elements – natural or artificial	15%
Stone foundation, structure, or veneer –natural or artificial	20%
Rough wooden siding - natural or artificial	0-65%
Stucco	0-65%
Glass	0-65%
Any other materials	0-10%

(h) Permitting and applications.

In addition to all other applicable permit submittal requirements, the following documentation is required prior to a zoning permit being issued:



- (1) Architectural drawings, renderings, or other visual representation of the proposed development meeting or exceeding the design standards of this article.
- (2) Manufacturers' detail of the materials and paints utilized to meet the façade requirements.
- (3) Any additional documentation indicating all standards of this article being met, as requested by the Planning Director or their designee.
- (4) Prior to a certificate of occupancy being conveyed, photographs of the completed project shall be submitted and a site visit made by the Planning Director or their designee to verify the standards of this article being met.

(i) Appeals

A property owner, developer, or any party materially affected by the Planning Director's decision may appeal to the Planning Commission in writing within ten working days of said decision. The commission shall schedule a hearing, conduct said hearing, and render a decision within 60 days of the date of appeal. The decision of the commission is final. The decision of the commission may be appealed to the circuit court within 30 days after the actual notice of the commission's decision.

Oconee County, South Carolina



# **Attachment B**

## **highlights proposed changes**

Attachment B

*Ordinance 2021-06*

(Highlights denote new or revised language)

ARTICLE VI. - LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

Sec. 32-212. - Definitions.

*Add the following:*

*Mixed-use development* means a development on one or more lots developed or proposed to be developed in one or more phases which includes a mixture of residential classifications (single-family, multi-family, etc.), a mixture of residential and non-residential uses, and/or a mixture of residential typologies and non-residential uses.

Sec. 32-218.

*Current:*

- Nonresidential subdivisions.

(a) *General.* If a proposed subdivision includes land that is proposed for commercial, industrial or other nonresidential purposes, the layout of the subdivision shall incorporate such provisions and facilities as required by the standards set forth in subsection (b), below.

(b) *Standards.* In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the commission that the road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

(1) Proposed nonresidential parcels shall be suitable in area and dimensions to the types of industrial/commercial development anticipated.

(2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.

(3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.

(4) Every effort shall be made to protect adjacent residential areas from potential nuisances from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.

(5) Roads carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

*Restate as follows:*

- Nonresidential, multi-family residential, and mixed-use development along specific corridors.

- (a) **Standards.** In addition to the principles and standards in this article, the applicant shall demonstrate that the design, traffic and safety, road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. It is wholly the responsibility of the property owner to build and maintain to the standards of this article. Any new development or existing development expanding by more than 50% of its existing area will be required to adhere to the regulations of this article.

If a proposed development includes land that is partially or wholly proposed for commercial, industrial or other nonresidential purposes, multi-family residential, or a mixture of residential and non-residential uses, and has direct or indirect access to the specific corridors indicated in this article, the layout of the proposed development and/or expansion shall incorporate the provisions and facilities required by the standards set forth in this article.

This article applies, in whole or in part, to the following corridors:

S.C. Highway 11

S.C. Highway 28

S.C. Highway 59

S.C. Highway 76

S.C. Highway 123

S.C. Highway 130

S.C. Highway 183

- (b) **Exemptions.** Agricultural and Forestry uses as defined by the South Carolina Right to Farm Act (S.C. Code § 46-45-10, et seq.) and the South Carolina Right to Practice Forestry Act (S. C. Code § 48-23-205, et seq.).
- (c) **Franchise architecture.** Franchise architecture is defined as building design that is trademarked or identified with a particular franchise chain or corporation and is generic or standard in nature. Franchises or national chains must follow the standards of this article in order to create a building that enhances the character to the corridor.
- (d) **Parking.** Each development shall provide adequate off-street parking for their customers, employees, and deliveries. Parking for one development shall not interfere with the parking, operations, and/or vehicular movement of another development.
- (e) **Traffic and Safety.**
- (1) Applications for proposed projects to which this article applies shall provide written verification from the South Carolina Department of Transportation (SCDOT) indicating any and all traffic and safety implementation standards required of the proposed project. All infrastructure required by the SCDOT shall be implemented or constructed prior to a certificate of completion, permanent power, or certificate of occupancy being issued.
  - (2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
  - (3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.
  - (4) Roads to be utilized for carrying nonresidential traffic, especially heavy-equipment, tractor-trailers or heavy-truck traffic, shall not be extended to the boundaries of adjacent residential areas.

(f) Design Standard One.

(1) Applicable corridors:

- a. S.C. Highway 11: Southern terminus to Town of West Union municipal boundary
- b. S.C. Highway 28: Northern terminus to City of Walhalla municipal boundary
- c. S.C. Highway 59: Intersection of S.C. Highway 24 to the boundary of the I-85 Overlay
- d. S.C. Highway 76: Western terminus to the City of Westminster municipal boundary
- e. S.C. Highway 123: City of Westminster municipal boundary to southern terminus
- f. S.C. Highway 130: Town of Salem municipal boundary to northern terminus
- g. S.C. Highway 183: City of Walhalla municipal boundary to S.C. Highway 188.

(2) Building orientation and entrances:

- a. All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc.
- b. Any portion of a building facade facing a public right-of-way that exceeds twenty-five (25) feet in length shall incorporate windows or architectural design elements to break up the expanse of wall and add visual diversity. Example elements include, but are not limited to windows, doors, lighting, material changes, articulated or sculptured wall surfaces or shadow lines, vertical accents, texture changes or color changes, commissioned murals by professional artists, or other architectural features.

(3) Building materials and colors

- a. Materials not-permitted to be incorporated into a building's facade adjacent to public or private right of ways:
  1. Painted concrete block
  2. Asphalt shingles.
- b. Materials that are encouraged to be used are:
  1. Timber framing or structural elements - natural or artificial
  2. Stone foundation, structure, or veneer - natural or artificial
  3. Rough wooden siding - natural or artificial
  4. Stucco
  5. Glass – glazing and framing elements
  6. Colors - Florescent and phosphorescent colors are prohibited.

(g) Design Standard Two

(1) Applicable corridors:

- a. S.C. Highway 11: Town of West Union municipal boundary to northern terminus
- b. S.C. Highway 28: City of Walhalla municipal boundary to City of Seneca municipal boundary
- c. S.C. Highway 123: City of Seneca municipal boundary to the Pickens County line
- d. S.C. Highway 123: City of Seneca municipal boundary to City of Westminster municipal boundary
- e. S.C. Highway 130: City of Seneca municipal boundary to Town of Salem municipal boundary
- f. S.C. Highway 183: Intersection of S.C. Highway 188 to Eastern terminus
- g. S.C. Highway 188: Entire length.

(2) Building orientation and entrances

All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc. The front façade must be broken up using columns, an entrance portico, roof overhangs, or the like to avoid the appearance of a monolithic slab.

- (3) Colors. Florescent and phosphorescent colors are prohibited.
- (4) Facades. Facades facing a public or private right-of-way shall incorporate the following design elements:

Design element	Minimum
Timber framing or structural elements – natural or artificial	15%
Stone foundation, structure, or veneer –natural or artificial	20%
Rough wooden siding - natural or artificial	0-65%
Stucco	0-65%
Glass	0-65%
Any other materials	0-10%

(h) Permitting and applications.

In addition to all other applicable permit submittal requirements, the following documentation is required prior to a zoning permit being issued:

- (1) Architectural drawings, renderings, or other visual representation of the proposed development meeting or exceeding the design standards of this article.
- (2) Manufacturers' detail of the materials and paints utilized to meet the façade requirements.
- (3) Any additional documentation indicating all standards of this article being met, as requested by the Planning Director or their designee.
- (4) Prior to a certificate of occupancy being conveyed, photographs of the completed project shall be submitted and a site visit made by the Planning Director or their designee to verify the standards of this article being met.

(i) Appeals

A property owner, developer, or any party materially affected by the Planning Director's decision may appeal to the Planning Commission in writing within ten working days of said decision. The commission shall schedule a hearing, conduct said hearing, and render a decision within 60 days of the date of appeal. The decision of the commission is final. The decision of the commission may be appealed to the circuit court within 30 days after the actual notice of the commission's decision.

**STATE OF SOUTH CAROLINA**  
**COUNTY OF OCONEE**  
**ORDINANCE 2021-07**

AN ORDINANCE INCREASING THE “NOT TO EXCEED” TAX RATE FOR THE KEOWEE FIRE TAX DISTRICT FROM 14.5 MILLS TO 17.5 MILLS, CONSISTENT WITH ARTICLE VI OF OCONEE COUNTY ORDINANCE 2003-12, WHICH ESTABLISHED THE KEOWEE FIRE TAX DISTRICT AND KEOWEE FIRE COMMISSION.

**WHEREAS**, Oconee County Ordinance 2003-12 established the Keowee Fire Tax District and its governing board, the Keowee Fire Commission, consistent with the results of a special referendum election held on August 12, 2003. A copy of Ordinance 2003-12 is attached hereto as Exhibit A; and

**WHEREAS**, Article VI of Ordinance 2003-12 set forth the mechanism whereby the “not to exceed” tax rate for the Keowee Fire Tax District could be increased from its initial limit of 14.5 mills; and

**WHEREAS**, Oconee County Ordinance 2006-13 amended certain provisions of Ordinance 2003-12, but it did not increase the “not to exceed” tax rate or change the mechanism to alter the tax rate; and

**WHEREAS**, consistent with Article VI, Section 6.01 of Ordinance 2003-12, the Keowee Fire Commission notified citizens of its intent to consider raising the “not to exceed” tax rate by notice in *The Journal*, a newspaper of general circulation in the County, a copy of which is attached hereto as Exhibit B. (See also the Fire Commission’s Official Statement attached hereto as Exhibit C.)

**WHEREAS**, on January 19, 2021, consistent with Article VI, Section 6.02 of Ordinance 2003-12, the Keowee Fire Commission voted to increase the “not to exceed” tax rate from 14.5 mills to 17.5 mills and has submitted the required written request to the Oconee County Council (the “Council”), a copy of which is attached hereto as Exhibit D.

**NOW THEREFORE**, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Council finds that the Keowee Fire Commission has complied with the requirements outlined in Ordinance 2003-12 for increasing the “not to exceed” tax rate for the Keowee Fire Tax District from 14.5 mills to 17.5 mills.
2. Ordinance 2003-12 is hereby amended in all relevant parts so that the “not to exceed” tax rate is now established at 17.5 mills.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. All other terms, provisions, and parts of the Oconee County Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.

6. This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Katie D. Smith  
Clerk to Oconee County Council

\_\_\_\_\_  
John Elliott  
Chair, Oconee County Council

First Reading: February 16, 2021  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_



EXHIBIT A

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE, ORDINANCE 2003-12

**ESTABLISHMENT OF THE KEOWEE FIRE TAX DISTRICT, AND  
ESTABLISHMENT OF THE KEOWEE FIRE COMMISSION, AND  
RENAMING OF THE KEOWEE KEY FIRE DEPARTMENT**

**ARTICLE I: FINDINGS OF FACT**

Pursuant to S.C. Code Section 4-9-30, over fifteen percent (15%) of the electors within Oconee Fire District #17, which is served by the Keowee Key Fire Department (herein renamed the *Keowee Fire Department* and hereinafter referred to as the "Fire Department"), have signed a petition to Oconee County Council to hold a special referendum election to approve the establishment of a special tax district designated in the petition as The Keowee Special Tax District For Fire Protection (herein renamed the *Keowee Fire Tax District* and hereinafter referred to as the "Tax District"), and to establish an elected Commission (herein named the *Keowee Fire Commission* and hereinafter referred to as the "Commission") to represent the citizens in the Tax District, and to operate the Tax District.

The petition defines the Tax District outer boundaries to be the same as the boundaries of Oconee Fire District #17, and excludes the Duke Power Nuclear Site from the Tax District area but not from the Oconee Fire District #17 area. The petition also specifies that the Commission will have the authority to a) set an annual budget for the Fire Department to be funded in part by a special property tax at a rate not to exceed 14.5 mills, b) negotiate a separate annual fire protection fee arrangement with Duke Power, and c) appoint a fire chief to manage the Fire Department.

On August 12, 2003, a Special Referendum Election was held in which the electors within the proposed Tax District area voted to establish the Tax District, the Commission, and elected its initial five Commissioners.

**ARTICLE II: ESTABLISHMENT OF THE KEOWEE FIRE TAX DISTRICT**

**Section 2.01, Establishment And Purpose.** The special tax district for fire protection is hereby established and is named the *Keowee Fire Tax District* (hereinafter referred to as the Tax District). Its purpose is to ensure all property owners within its boundaries share in the costs of maintaining a paid, professional fire fighting staff, and the costs of necessary equipment and facilities to meet the fire protection objectives established jointly by the Commission and the Fire Department on behalf of property owners. The special tax levied within the Tax District shall not replace or reduce the amount of equipment, maintenance or funds that are supplied by the county to all county fire districts from its general budget for fire protection.

**Section 2.02, Boundaries Of The Tax District.** The boundaries of the Tax District area are:

Starting at the intersection of Highways 130 and 183 near the Wachovia Bank, traveling North on Highway 130 to the first bridge, at the Cove subdivision, bordering on the East and West by Lake Keowee.

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE, ORDINANCE 2003-12**

At the intersection of Highway 130 and Nimmons Bridge Road, North on Nimmons Bridge Road to and including Keowee Town Landing. All areas East of Nimmons Bridge Road bordered by Lake Keowee and West of Nimmons Bridge Road to Stamp Creek. West on Highway 183 to the first bridge (High Falls Bridge), bordered by Lake Keowee to the South and all property North.

From the intersection of Highway 130 and 183 (South of the Oconee Nuclear Site) to the Pickens County line.

South on Highway 130 to the first dike on Lake Keowee (.6 miles South of Katelyn Road). All areas bordered on the East and West by Lake Keowee.

Excluding however, all property within these aforementioned boundaries known as the Oconee Nuclear Site and owned by Duke Power, having as its boundaries Lake Keowee to the North and West, Highway 183 to the South (including the Duke Power Operations Center), and the Pickens County line to the East.

**ARTICLE III: ESTABLISHMENT OF THE COMMISSION**

**Section 3.01, Establishment And Purpose.** The special tax district commission is hereby established and is named *The Keowee Fire Commission* (hereinafter referred to as the "Commission"). Its purpose is to represent the citizens of the Tax District in setting and maintaining fire protection objectives, in setting the annual Fire Department budget, and in employing a Fire Chief to manage the day-to-day Fire Department operations and personnel.

**Section 3.02, Election Of Commissioners.** The Commission shall consist of five Commissioners, each elected to a two-year term in the regular November general election in even numbered years. The five candidates with the highest number of votes shall be elected as Commissioners and the term of office shall begin on January 1 following the November election. Candidates for Commissioner shall be qualified electors of the Tax District and shall meet the candidate filing and reporting requirements of the county. Up to five initial Commissioners shall be elected in a special election held on August 12, 2003 and shall take office upon their election for terms ending December 31, 2004.

**Section 3.03, Filling Of Vacancies.** Any vacant seat on the Commission shall remain vacant until it is filled in a regular general election. In the event all five Commission seats become vacant, County Council shall appoint one person, who is a qualified elector of the Tax District, to serve as Acting Commissioner only until such time as an election can be held and one or more new Commissioners are elected.

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE, ORDINANCE 2003-12**

**ARTICLE IV: AUTHORITY AND RESPONSIBILITIES OF THE COMMISSION**

**Section 4.01, Budget Authority.** The Commission shall have the authority and responsibility to adopt an annual calendar year budget for the Fire Department, negotiate an annual fee for fire protection with Duke Power, and identify the net amount to be funded by the county as a special property tax subject to a "not to exceed" tax rate of 14.5 mills or an amended "not to exceed" tax rate as provided in Article VI herein, and to borrow for temporary cash needs or capital expenses which are budgeted for funding over more than a single calendar year.

**Section 4.02, Legal Authority.** The Commission shall have the authority to enter into contracts and agreements, purchase or lease land, facilities and equipment, obtain outside services, establish bank accounts, and otherwise legally commit the Tax District as needed to provide its adopted and budgeted level of fire fighting capability and fire prevention programs, and the responsibility of meeting the resulting obligations it has incurred on behalf of the Tax District. The Commission shall also have the authority and responsibility to develop or adopt rules and regulations deemed necessary to ensure fire and life safety in Fire Department operations.

**Section 4.03, Operating Authority.** The Commission shall have authority to appoint or replace a Fire Chief, to establish the Fire Chief's compensation, to set overall management, operating, and financial objectives for the Fire Department and to adopt bylaws for the Commission and its administration of the Tax District. The Fire Chief shall be responsible for meeting the management, operating and financial objectives, and shall have day-to-day operating authority over the Fire Department and its paid and volunteer staff.

**Section 4.04, Reporting Responsibilities.** Each year, the Commission shall prepare an annual report on operating and financial results, shall provide copies to citizens on request, and shall hold a public hearing to present the report and hear citizen comments within three months of the calendar year-end. The Commission shall also be responsible for the biannual filing to the SC Secretary of State and County Auditor as required by SC Act 488 of 1984.

**Section 4.05, Meeting Obligations.** As a government entity with taxation authority, the Commission is subject to South Carolina statutes regarding notification and conduct of meetings.

**ARTICLE V: COUNTY BUDGET REQUIREMENTS**

**Section 5.01, Budget Submission Requirements.** The Commission shall meet the following requirements for submitting its annual budget request for special property tax funding of the Fire Department.

- a) The submitted budget shall identify the total amount of Fire Department expenses for the next full calendar year, and shall show a breakdown of the total by general categories of expense. The budget shall also show a breakdown of expected

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE, ORDINANCE 2003-12**

sources of fee revenue and the net amount to be billed and collected by the county as a special property tax levy.

b) The budget shall include a written certification by the Commission that at least one public hearing on the budget has been held for citizens prior to finalizing it for submission to the county, and the results of a roll-call Commission vote adopting the submitted budget.

c) The budget shall be submitted to the Chief Administrative Officer of Oconee County within a county budget submission schedule, but in the event notification of the submission schedule provides insufficient lead-time for the Commission to comply, the submission deadline shall be extended by mutual agreement.

**Section 5.02, Failure To Comply With County Submission Requirements.** In the event the Commission fails to meet the requirements in Section 5.01, the Chief Administrative Officer of the county shall provide written notification to the Commission and County Council of the failure. Upon such notification, County Council shall act to fund the Tax District at the previous year's actual millage rate.

**Section 5.03, Failure Of Submitted Budget To Fall Within "Not To Exceed" Tax Rate.** If the submitted budget amount fails to result in a tax rate within the initial 14.5 mills "not to exceed" tax rate, or a subsequently adopted amendment of the "not to exceed" tax rate, the Chief Administrative Officer shall notify the Commission and County Council, and County Council shall act to fund the Tax District at no more than the "not to exceed" tax rate then in effect.

**ARTICLE VI: REVISION OF THE "NOT TO EXCEED" TAX RATE**

The Commission shall have the authority to initiate adoption of an increase in the "not to exceed" tax rate, subject to taxpayer notification and public hearing requirements herein.

**Section 6.01, Taxpayer Notification And Public Hearing.** The Commission shall notify citizens, via Commission chosen public advertising methods, of its intention to raise the "not to exceed" tax rate, and how citizens can obtain copies of an official Commission statement, which shall include the following information:

a) The current and the intended "not to exceed" tax rates, and the tax amounts that would be levied at both "not to exceed" tax rates for representative examples defined by the Commission of residential and personal property.

b) An explanation of why the current "not to exceed" tax rate is insufficient, and a projection of years the intended "not to exceed" tax rate is likely to last.

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE, ORDINANCE 2003-12

c) The scheduled date, time and place of a formal public hearing to be conducted by the Commission on revision of the "not to exceed" tax rate, and an explanation of how taxpayers can ensure their comments will be heard at the public hearing.

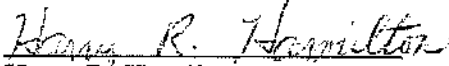
**Section 6.02, Commission Final Decision And Submission To County Council.** The Commission shall make its final decision on the intended change in the "not to exceed" tax rate by a roll-call vote of its Commissioners before adjourning the formal public hearing. If the Commission decides to proceed, its final decision on the tax rate and supporting details shall be submitted in writing as a request to County Council for its action to adopt the specified new "not to exceed" tax rate as an amendment to this ordinance.

**Section 6.03, County Council Action.** County Council shall determine whether the Commission request is in compliance with the requirements stated in Sections 6.01 and 6.02 above, and upon such determination shall initiate the requested amendment to this ordinance. The requested "not to exceed" tax rate will take effect upon County Council adoption of the requested amendment.

**ARTICLE VII: SEVERABILITY PROVISION**

**Section 7.01 Invalid Items.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

**APPROVED ON THIRD & FINAL READING THIS 19<sup>th</sup> day of August 2003.**

  
Harry R. Hamilton  
Interim Supervisor-Chair  
Oconee County Council

Attest:

  
Opal O. Green  
Clerk to Council

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The Keowee Fire Commission will meet at 3:00pm January 19, 2021 at the Keowee Fire Department to discuss revising the NOT TO EXCEED millage rate.

**EMPLOYMENT**

**HELP WANTED GENERAL**

The City of Walhalla Water Department is accepting applications for a full-time clerk in the water billing department. Applicants must have excellent computer skills, ability to type 40 wpm, be able to read small print, be self motivated, a fast learner, ability to work in a high pressure, fast paced environment. Ability to balance a cash drawer and handle cash required. Must be able to follow directions. Applications will be accepted until position is filled, and are available at Walhalla City Hall, 206 N Church ST EOE/AEE

The City of Walhalla is accepting applications for a maintenance worker in the water department. The maintenance worker will perform maintenance and repairs in the water and sewer departments. An outdoor all-weather job. High School graduate or GED equivalent. Must possess a valid SC Driver's license and good driving record. Job requires reading small print. Must frequently lift and/or move 25 lbs to 100lbs. Applications will be accepted until the position is filled. Applications may be obtained from the City Hall, 206 N Church St. EOE/AEE

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**PETS/LIVESTOCK**

**PET MARKET**

**ADOPT A CAT! Save a Life!**  
Snuggly, purry cats & kittens \$75 adoption fee includes: spay/neuter, vaccines, microchip. Take a SWEET companion home today! [oconeehumane.org](http://oconeehumane.org) Call 882-4719

**\$0 BARN CATS \$0 Save a life!**  
Give a feral cat a barn home. Rabies vaccination & fixed. Oconee Humane Society Call 864-882-4719

**Call 882-2375 to Place Your Ad Today!**

**REAL ESTATE RENT**

**APARTMENTS UNFURNISHED**

**Best Deal In Town!**  
1 Br. - \$475. • 2 Br. - \$595. Ask About Our Weekly Specials! •Furn/Power Pkgs. •On CAT Bus Route. Call (864)882-0636

**HOUSES FOR RENT**

Basic 3bd 2ba, 2,200 sq ft \$1,100 per month. Call 850-527-2016 for more information!

**U-STOR-IT Mini Warehouse**  
Inside • Outside • No Cameras Fenced • Not Gated • Lighted Old Clemson Hwy. 654-1000

**Now Available For Rent**

**SC Regional Housing Authority No.1**  
2, 3 & 4 Bedroom Unfurnished Apartments Available in Seneca, Walhalla & Westminster

Rental fee includes: Water, Sewer, & Natural Gas  
Rent based on income.  
Small pets allowed with deposit.

Please contact Bridgette at 864-882-8485

SCRHA is an equal housing organization and prohibits discrimination because of race, color, religion, sex, handicap, national origin or familial status.

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**RENTALS & More**

University Place, Clemson.....4BR/2BA, Furnished.....	\$1000-\$1150
University Terrace.....4BR/2BA, Furnished.....	\$1150-\$1300
Chadsworth Commons, Clemson.....2BR/2BA & 2BR/2.5BA.....	\$950-\$1025
Tillman Place, Clemson.....4BR/2BA.....	\$1200
Village Green, Clemson.....2BR/1.5BA, Townhouse.....	\$835
Cedarwood, Clemson.....2BR/2BA.....	\$720
Crawford Falls, Clemson.....3BR or 4BR.....	\$1990-\$2250
819 Bellview, Seneca.....3BR/2.5BA.....	\$950

**APARTMENTS 1 BR • Efficiencies • 2 BR • 3 BR • 4BR**  
Furnished • Unfurnished • \$425 and Up • Mini Warehouses \$20-\$100  
**Foothills Property Management**  
1017 Tiger Blvd. at ReMax, Clemson, SC  
**864-654-1000**  
Robin Valadez, Debra Boggs, Prop. Mgr. Rebekah Brackett, Prop. Mgr.  
[www.clemsonrentals.com](http://www.clemsonrentals.com)

## Exhibit C

### **Keowee Fire Tax District**

The Keowee Fire Commission and the members of the Keowee Fire Department ask for your support to raise the “not to exceed” millage rate by 3 mils. Raising the millage rate will provide critical funding opportunities to keep our services and response level appropriate for the district and keep the safety of our firefighters as a top priority.

#### **Background**

Since 2004 the Keowee Fire Tax District has been committed to operating within the boundaries of the “not to exceed” millage cap of 14.5. In 2004, the Fire Department operated on a \$346,000 budget, responded to 72 fire calls, had 22 volunteers and 4 paid staff. The district population was just over 5000 people.

Over the last 16 years, the Keowee Fire Commission and Fire Department staff have worked hard to maintain adequate response services to a growing community while operating inside the financial boundaries set forth in the establishing ordinance. We survived three county-wide property reassessments and the economic turndown of 2008 through diligent management of our resources.

Now 16 years later, we are still operating within the same tax rate established in 2004 but the population of the district has more than doubled, the call volume has increased almost 700%, and the number of volunteers has significantly declined. With the decline in volunteers and the increased demand for fire and EMS response, the district has had no choice but add services, personnel, and equipment. Today, the department operates out of 3 stations, with a paid staff of 24, 5 volunteers, and an annual operating budget of \$882,000.

The Commission has made a strong effort to operate within the 14.5 mils by relying on increased property values and district growth to absorb cost. Unfortunately, we have arrived at a point where it is no longer feasible. The increased cost of replacing older equipment, maintaining adequate staffing, marked increase funding of the state retirement system, and the upkeep of three stations requires an adjustment to the “not to exceed millage.” Beginning in 2022 staffing levels would need to be reduced, which would compromise not only the safety of the people we protect, but also the safety of our firefighters. Replacing equipment and apparatus that has exceeded its service life would no longer be possible and the department will be forced to begin spending money from reserves to fund the day to day operation.

Raising the millage rate to 17.5 or \$12 per \$100,000 appraised value, will provide critical funding opportunities to keep our services and response level appropriate for the district. Increasing staff, replacing our 1991 ladder truck, maintaining our stations in good working order, continued replacement of generators, saws, extrication tools, and air packs, as they reach their service life, and keeping the safety of our firefighters as a top priority are just a few examples of how those funds will be used.

The Keowee Fire Commission believes their dedication to an efficient, budget conscious operation has been proven over the last 16 years and ask for your support as they seek an increase in funding.

## **Accomplishments**

- Reduced the ISO rating from a 7/9 to a class 3 for the entire district
- Constructed a new headquarters station
- Constructed a second station on the south end of the district which lowered the ISO rating and increased public safety
- Licensed as a SC DHEC EMS non-transporting response agency
- Require all new hires to be EMT-B or higher certified
- Partnership with Prisma Health to house an ambulance 12hrs/day
- Partnership with Oconee Sheriff's office to provide deputies a substation
- Wrote and awarded over \$400,000 in grants for needed equipment
- Increased paid staffing to meet the increased call volume
- Partnership with Oconee County to add a marine unit to Lake Keowee
- Maintained greater than 3000hrs of training annually
- Special operations: Dive rescue, Trench, Radiological response
- Maintained all equipment at a ready to respond level
- Purchased a new Rescue Engine (Delivery 4/20)



EXHIBIT D

**KEOWEE FIRE DEPARTMENT**

115 Maintenance Road  
Salem, SC 29676  
Phone: (864) 944-8666  
Fax: (864) 944-8420  
www.KeoweeFire.com

Oconee County Council  
415 S. Pine Street  
Walhalla SC 29691

February 9, 2021

The Keowee Fire District Commission pursuant with the authority and responsibilities of the commission as outlined in the establishing ordinance, hereby request that the Oconee County Council take action to increase the "not to exceed" tax rate from 14.5 to 17.5.

**Background**

Since 2004 the Keowee Fire Tax District has been committed to operating within the boundaries of the "not to exceed" millage cap of 14.5. In 2004, the Fire Department operated on a \$346,000 budget, responded to 72 fire calls, had 22 volunteers and 4 paid staff. The district population was just over 5000 people.

Over the last 16 years, the Keowee Fire Commission and Fire Department staff have worked hard to maintain adequate response services to a growing community while operating inside the financial boundaries set forth in the establishing ordinance. We survived three county-wide property reassessments and the economic turndown of 2008 through diligent management of our resources.

Now 16 years later, we are still operating within the same tax rate established in 2004 but the population of the district has more than doubled, the call volume has increased almost 700%, and the number of volunteers has significantly declined. With the decline in volunteers and the increased demand for fire and EMS response, the district has had no choice but add services, personnel, and equipment. Today, the department operates out of 3 stations, with a paid staff of 24, 5 volunteers, and an annual operating budget of \$882,000.

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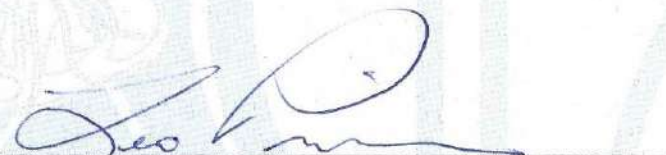
## KEOWEE FIRE DEPARTMENT

115 Maintenance Road  
Salem, SC 29676  
Phone: (864) 944-8666  
Fax: (864) 944-8420  
[www.KeoweeFire.com](http://www.KeoweeFire.com)

also the safety of our firefighters. Replacing equipment and apparatus that has exceeded its service life would no longer be possible and the department will be forced to begin spending money from reserves to fund the day to day operation.

Raising the millage rate to 17.5 or \$12 per \$100,000 appraised value, will provide critical funding opportunities to keep our services and response level appropriate for the district. Increasing staff, replacing our 1991 ladder truck, maintaining our stations in good working order, continued replacement of generators, saws, extrication tools, and air packs, as they reach their service life, and keeping the safety of our firefighters as a top priority are just a few examples of how those funds will be used.

The Keowee Fire Commission believes their dedication to an efficient, budget conscious operation has been proven over the last 16 years and ask for your support as they seek an increase in funding.



---

Leo Primeau  
Chairman  
Keowee Fire Commission

FIRE  
DEPARTMENT

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2021-02**

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF  
APPROXIMATELY 1.43 ACRES OF REAL PROPERTY FROM  
THE SCHOOL DISTRICT OF OCONEE COUNTY; AND OTHER  
MATTERS RELATED THERETO.**

**WHEREAS**, Oconee County, South Carolina (the "County"), is a body politic and corporate and a political subdivision of the State of South Carolina; and

**WHEREAS**, the School District of Oconee County ("SDOC") has agreed to transfer to County approximately 1.43 acres of real property (the "Property") located adjacent to the former Oakway Intermediate School, which is depicted as Tract 1 on the survey of Stephen R. Edwards, attached hereto as Exhibit A; and

**WHEREAS**, County desires to accept the transfer of the Property from the SDOC for nominal (\$10.00) consideration.

**NOW, THEREFORE**, be it resolved by the Oconee County Council, in meeting duly assembled, that:

1. The County Administrator is hereby authorized to complete the transfer of the Property from the SDOC to the County and to undertake all such other lawful actions, consistent herewith, as may be necessary and appropriate to obtain good and marketable title to the Property for the County.

2. Should any portion of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this Resolution, all of which are hereby deemed separable.

3. All orders, resolutions, and enactments of Oconee County inconsistent herewith are to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

4. This resolution shall take effect and be in full force after enactment by Oconee County Council.

*Signatures on following page*

RESOLVED in meeting, duly assembled, this \_\_\_\_ of \_\_\_\_\_, 2021.

OCONEE COUNTY, SOUTH CAROLINA

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John Elliott, County Council Chair  
Oconee County, South Carolina

ATTEST:

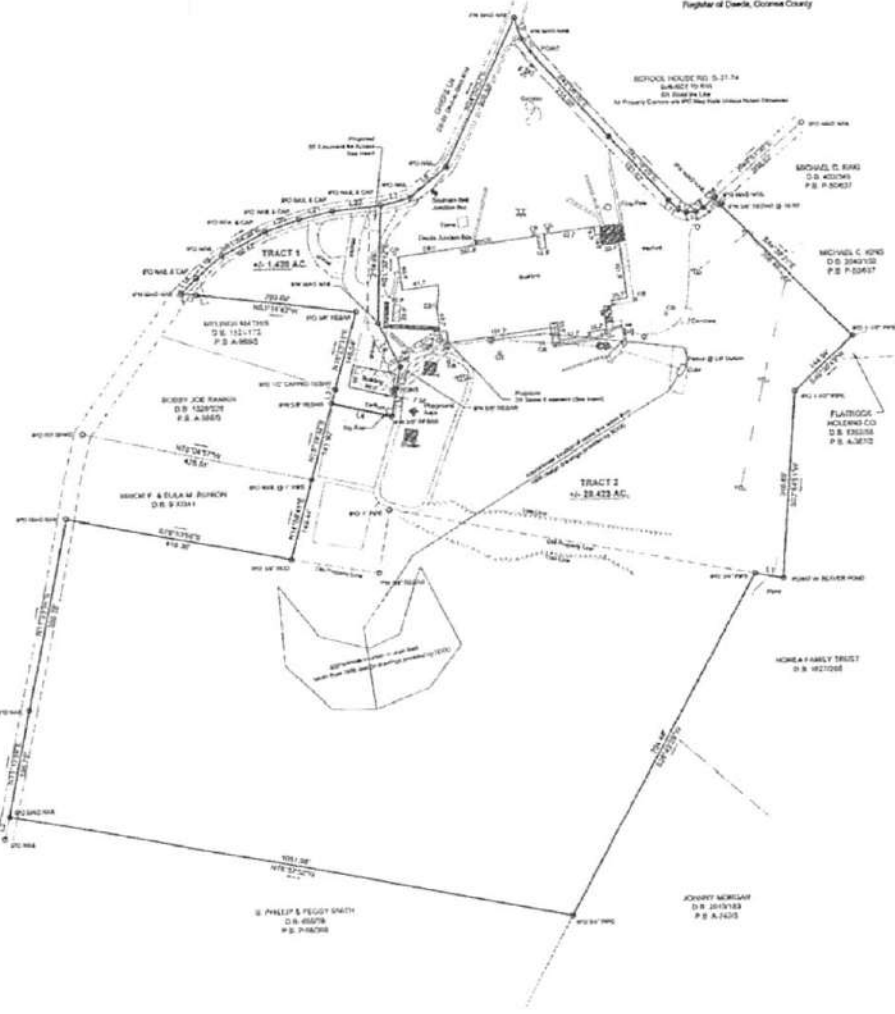
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Katie Smith, Clerk to County Council  
Oconee County, South Carolina

# Exhibit A R2021-02

Recorded 2/14/21 by  
W.C. Carlow  
Register of Deeds, Oconee County

LEGEND	
1	As Shown
2	Proposed
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02 4 11 2021  
W.C. Carlow  
Register of Deeds

LINE	BEARING	LENGTH
L1	N89°25'00"W	51.82
L2	S27°18'00"W	43.50
L3	S17°32'00"E	70.90
L4	S77°32'14"E	114.24
L5	N77°32'00"E	34.24
L6	N00°00'00"W	90.00
L7	N77°32'00"E	58.47
L8	N00°00'00"W	87.20
L9	S17°32'00"E	43.50
L10	S77°32'14"E	74.24
L11	N77°32'00"E	34.24
L12	N00°00'00"W	14.00
L13	N00°00'00"W	13.00
L14	N00°00'00"W	13.00
L15	N00°00'00"W	23.84
L16	N00°00'00"W	7.00
L17	N00°00'00"W	21.93
L18	S04°28'00"E	30.20
L19	N00°00'00"W	60.20
L20	N00°00'00"W	60.20
L21	N00°00'00"W	64.50
L22	N00°00'00"W	60.20
L23	N00°00'00"W	50.70

Barcode  
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Barcode  
-B578-8-9

NOTES

- 1) REFERENCES TO S. & S. 1/2 SEC. 34, T. 14 N. & R. 10 W. & S. 1/2 SEC. 34, T. 14 N. & R. 10 W. ARE SUBJECT TO THE RESTRICTIONS AND EASEMENTS SHOWN ON THE PLAT.
- 2) THIS PROJECT IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OR INTERESTS RESTRICTIONS THAT A CURRENT TITLE SEARCH MAY UNCOVER.

Survey 2/14/21 by 75

SCHOOL DISTRICT OF  
OCONEE COUNTY

STEPHEN H. EDWARDS & ASSOCIATES, INC.  
1402 W. MARKET STREET, SUITE 200  
DUNWOODY, GA 30329

DATE OF SURVEY: 02/14/21

OCONEE COUNTY REGISTER OF DEEDS

02 4 11 2021

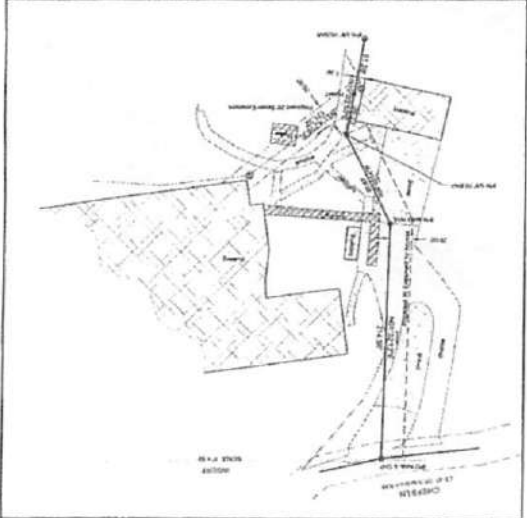
W.C. Carlow

Register of Deeds

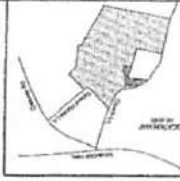


Recorded 2/14/21 by  
W.C. Carlow  
Register of Deeds, Oconee County

02 4 11 2021  
W.C. Carlow  
Register of Deeds



DEPARTMENT OF  
PLANNING AND ZONING



SCHEER DISTRICT OF  
SCHOOL COUNTY  
OFFICE OF THE DISTRICT CLERK  
22114  
27

STEPHEN R. EDWARDS & ASSOCIATES, INC.  
PLANNERS  
1000 N. MARKET STREET, SUITE 200  
DURHAM, NC 27601

APPROVED FOR THE BOARD OF STATE PLANNING  
ON 08/23/11

APPROVED FOR THE BOARD OF STATE PLANNING  
ON 08/23/11

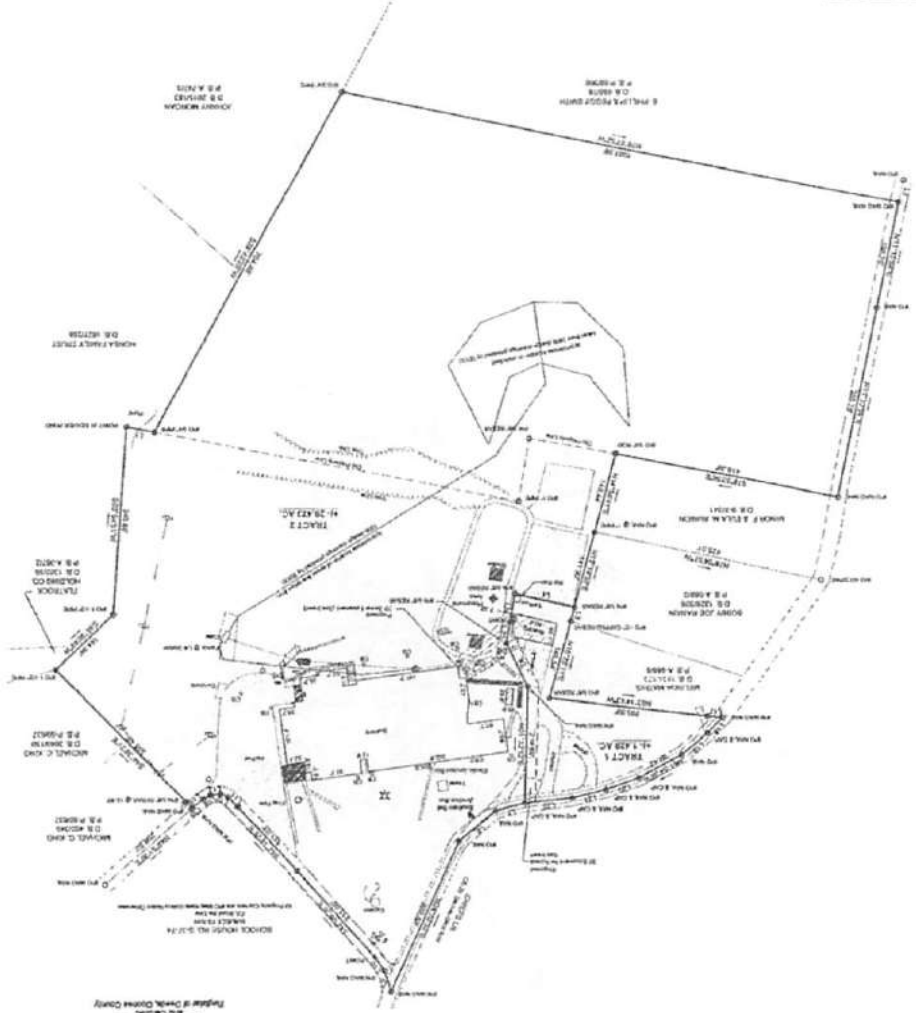
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NOTES:  
1. THIS PLAN IS SUBJECT TO ANY LOCAL ORDINANCES, REGULATIONS, ORDINANCES AND RESOLUTIONS THAT MAY APPLY TO THIS PROJECT.  
2. THE BOARD OF STATE PLANNING HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR THE BOARD OF STATE PLANNING.  
3. THE BOARD OF STATE PLANNING HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR THE BOARD OF STATE PLANNING.

082311  
082311



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**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2021-03**

**A RESOLUTION AUTHORIZING OCONEE COUNTY TO ENTER INTO A LEASE AGREEMENT WITH THE CITY OF WESTMINSTER, WHEREBY THE COUNTY WILL CONTINUE TO LEASE APPROXIMATELY 76 ACRES OF REAL PROPERTY, CONSTITUTING A PORTION OF THE CHAU RAM COUNTY PARK; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Oconee County, South Carolina (“County”), is a body politic and corporate and a political subdivision of the State of South Carolina; and

**WHEREAS**, the City of Westminster, South Carolina (“City”), is a body politic and corporate and a political subdivision of the State of South Carolina; and

**WHEREAS**, City is the owner of that certain real property consisting of approximately 76 acres (the “Premises”); and

**WHEREAS**, City desires to lease the Premises to County, and County desires to lease the Premises from City, all pursuant to the Real Property Lease Agreement (the “Lease”), attached hereto as Exhibit A.

**NOW, THEREFORE**, be it resolved by the Oconee County Council, in meeting duly assembled, that:

1. Lease Approved. The Lease is hereby approved, and the County Administrator is hereby authorized to execute and deliver the Lease in substantially the same form as Exhibit A.

2. Related Documents and Instruments; Future Acts. The County Administrator is hereby authorized to negotiate such documents and instruments that may be necessary or incidental to the Lease and execute and deliver any such documents and instruments on behalf of the County.

3. Severability. Should any term, provision, or content of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall have no effect on the remainder of this Resolution.

4. General Repeal. All orders, resolutions, and actions of the Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This Resolution shall take effect and be in full force after enactment by Oconee County Council.

RESOLVED in meeting, duly assembled, this \_\_\_\_ of \_\_\_\_\_, 2021.

OCONEE COUNTY, SOUTH CAROLINA

---

John Elliott, County Council Chair  
Oconee County, South Carolina

ATTEST:

---

Katie Smith, Clerk to County Council  
Oconee County, South Carolina



EXHIBIT A  
R2021-03

**REAL PROPERTY LEASE AGREEMENT**

between

**THE CITY OF WESTMINSTER, SOUTH CAROLINA**

as Lessor

and

**THE COUNTY OF OCONEE, SOUTH CAROLINA**

as Lessee

This REAL PROPERTY LEASE AGREEMENT ("Lease") dated as of the 20<sup>th</sup> day of JANUARY, 2020 ("Lease Commencement Date") is entered into by and between the CITY OF WESTMINSTER, SOUTH CAROLINA ("Lessor"), a body politic and corporate and a political subdivision of the State of South Carolina, and OCONEE COUNTY, SOUTH CAROLINA ("Lessee"), a body politic and corporate and a political subdivision of the State of South Carolina.

#### RECITALS:

WHEREAS, Lessor is the owner of that certain real property consisting of approximately 76 +/- acres (the "Premises"), more fully described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, Lessor desires to lease the Premises to Lessee, and Lessee desires to lease Premises from Lessor.

NOW, THEREFORE, in consideration of the rents reserved and the mutual covenants of the parties made herein, the sufficiency of which is acknowledged, the parties hereto agree that the foregoing recitals are true and correct and incorporated herein by this reference, and further agree as follows:

#### ARTICLE 1: DEMISE OF PREMISES

Section 1.1. Premises. Lessor, for and in consideration of the rents, covenants, and conditions herein set forth, does hereby lease to Lessee, and Lessee does hereby lease from Lessor, the Premises, subject to all easements, restrictions, rights of way, and encroachments of record and subject to the terms, conditions, and provisions hereof.

Section 1.2. Quiet Enjoyment. Lessor covenants and agrees that Lessee, upon paying the rent herein provided and observing and keeping the covenants, conditions, and terms of this Lease on Lessee's part to be kept or performed, shall lawfully and quietly hold, occupy, and enjoy the Premises during the "Term" (defined below) of this Lease without hindrance of Lessor or any person claiming under Lessor. Lessor hereby retains the right to enter upon and inspect the Premises at reasonable times and upon reasonable notice.

#### ARTICLE 2: LEASE TERM

Section 2.1. Lease Term. The term of this Lease (the "Term") shall commence on the Lease Commencement Date and shall continue through the day immediately preceding the twenty-fifth (25<sup>th</sup>) anniversary of the Lease Commencement Date, unless earlier terminated as provided herein. Provided Lessee has not defaulted in relation to a provision of this Lease, the Term shall automatically extend for successive ten (10) year periods, up to a maximum of three such ten-year extensions. The Term shall not automatically extend, however, if either party gives at least ninety (90) days' written notice of its desire to terminate the Lease prior to the end of the then current term.

Section 2.2. Lessee's Right of Early Termination. Lessee shall have the right to cancel this Lease, or to relinquish any portion of the Premises, upon giving Lessor notice of its cancellation upon the occurrence of any one or more of the following:

- (a). If appropriations, revenue, income, grants, or other funding, from any source (including but not limited to federal, state, and/or county sources), are not provided to Lessee in amounts sufficient to carry out the Permitted uses (defined below);
- (b). If Lessee determines that the Premises are not suitable for carrying out the Permitted Uses; or
- (c). If Lessee is dissolved and/or no longer performs the functions and purposes ascribed to it in relation to the Permitted Uses.

Section 2.3. Reversion. At the expiration or earlier termination of this Lease, whether by default, eviction, or otherwise, all improvements and infrastructure existing upon the Premises shall, without compensation to Lessee or any other party, then become the sole property of Lessor or Lessor's designee, free and clear of all claims to or against them by Lessee or any third person attributable to Lessor or Lessee, and all claims, liens, security interests, and encumbrances, other than those claims that are attributable to any act or omission of Lessor or created hereafter in accordance with the terms of this Lease. All alterations, improvements, additions, and utility installations which may be made on the Premises shall be the property of Lessor and shall remain upon and be surrendered with the Premises at the expiration or earlier termination of this Lease. Notwithstanding the foregoing, any structure, infrastructure, machinery, or equipment owned by Lessee or any sublessee, other than that which is permanently affixed to the Premises so that it cannot be removed without material damage to the Premises, shall remain the property of Lessee or any sublessee, as may be applicable, and may be removed, provided that Lessee removes or causes its removal prior to the expiration or earlier termination of this Lease.

### **ARTICLE 3: RENT, TAXES, AND UTILITIES**

Section 3.1. Rent. In consideration for the rights granted in relation to the Premises herein, Lessee shall pay Lessor the sum of ten dollars (\$10.00) upon execution of this Lease as rent for the Term, including any extension, of the Lease.

Section 3.2. Taxes. Lessee shall be responsible for any and all taxes, fees, assessments, and charges that are attributable to the Premises and the improvements and activities located thereon during the Term.

Section 3.3. Utilities. From and after the Lease Commencement Date, Lessee shall pay or cause to be paid any and all charges for water, heat, gas, electricity, cable, trash disposal, and any and all other utilities used by Lessee upon the Premises throughout the Term.

Section 3.4. No Security Deposit. No security deposit is required hereunder.

Section 3.5. Development Fees. Lessor shall have no liability or responsibility for any development fees, impact fees, or other similar fees or charges. Lessor shall, however, reasonably cooperate with Lessee in Lessee's efforts to effect and carry out the Permitted Uses.

Section 3.6. Costs. It is the intent of the parties, except as otherwise provided in this Lease, that Lessee pay all costs, charges, insurance premiums, taxes, utilities, expenses, and assessments

arising during the Term of every kind and nature incurred for, against, or in connection with the Premises in relation to the Permitted Uses.

#### **ARTICLE 4: USE OF PREMISES**

Section 4.1. **Permitted Uses.** Lessor shall allow Lessee, its agents, employees, successors, assigns, and sublessees to use the Premises for the construction, maintenance, management, and operation of a public park and concession, along with uses and operations related thereto (collectively, the "Permitted Uses"), all for the general public welfare and in compliance with all applicable local, state, and federal law.

#### **ARTICLE 5: HAZARDOUS MATERIALS**

Section 5.1. **Permissibility.** Lessee shall not cause, permit, or allow any substance, chemical, or material (whether solid, liquid, or gas) deemed to be toxic or hazardous ("Hazardous Material") by any applicable federal, state, or local agency or authority, the manufacture, storage, transport, or disposal of which is regulated, governed, or restricted by or under any applicable federal, state, or local law, ordinance, rule, or regulation, to be dumped, released, or otherwise located on, in, under, or about the Premises unless done so in a manner consistent with the Permitted Uses and in accordance with all applicable laws and regulations.

Section 5.2. **Notice.** Lessee shall give Lessor immediate written notice of any problem, spill, discharge, threatened discharge, or discovery, or claim thereof, of any prohibited Hazardous Material on or about the Premises.

#### **ARTICLE 6: IMPROVEMENTS**

Section 6.1. **Improvements.** Lessee shall cause all improvements and infrastructure to conform in all respects with local, state, and federal law.

Section 6.2. **Title.** Subject to the terms and conditions of this Lease, Lessee shall own and hold title to all improvements and infrastructure located on or in the Premises.

#### **ARTICLE 7: MAINTENANCE**

Section 7.1. **Maintenance of Premises.** Lessee agrees that it will, at its sole cost and expense, maintain the Premises and any of its improvements and infrastructure located thereon, including appurtenances thereto, in good order, condition, and repair and in accordance with all applicable laws, rules, ordinances, orders, and regulations.

Section 7.2. **Emergency Repairs.** Notwithstanding the provisions of Section 7.1, in the event of an emergency, Lessor, at its option, may without notice enter on the Premises to effect repairs needed as a result of the emergency. The reasonable cost of such repairs shall be due and paid by Lessee to Lessor on demand as additional rent due hereunder.

#### **ARTICLE 8: CONDEMNATION**

Section 8.1. **Interests of Parties on Condemnation.** If the Premises or any part thereof shall be taken for public purpose by condemnation as a result of any action or proceeding in eminent domain, or shall be transferred in lieu of condemnation to any authority entitled to exercise the power of eminent domain, the interests of Lessor and Lessee in the award or consideration for such

transfer, and the allocation of the award and the other effects of the taking or transfer upon this Lease, shall be as provided by this Article 8.

**Section 8.2. Total Taking - Termination.** If the entire Premises is taken or so transferred, this Lease and all of the right, title, and interest of Lessee hereunder, including Lessee's obligation to pay rent, shall cease on the date the Premises is taken or transferred.

**Section 8.3. Partial Taking - Termination.** In the event of the taking or transfer of only a part of the Premises, leaving the remainder of the Premises in such location, or in such form, shape or reduced size as to be not effectively and practicably usable in the good faith opinion of Lessee for the Lessee's purposes, this Lease and all right, title, and interest of Lessee hereunder may be terminated by Lessee giving, within sixty (60) days of the occurrence of such event, thirty (30) days' notice to Lessor of Lessee's intention to terminate. Notwithstanding the foregoing, upon notice from Lessee to Lessor that Lessee desires to continue this Lease, or if Lessee gives no notice in relation to such partial taking, this Lease shall continue in full force and effect.

**Section 8.4. Allocation of Award.** Any compensation awarded or payable because of the taking, or transfer in lieu thereof, of all or any portion of the Premises by eminent domain shall be awarded in accordance with the values of the respective interests in the Premises and all improvements or infrastructure thereon immediately prior to the taking. The value of Lessor's interest in the Premises shall include the then value of its interest as Lessor under this Lease, together with the value of its reversionary interest in the Premises. The value of Lessee's interest in the Premises and improvements or infrastructure immediately prior to a taking shall include the then value of its interest in the Premises and related improvements and infrastructure for the remainder of the Term of this Lease, including consideration given to Lessee's rights to remove improvements and infrastructure prior to or upon termination of the Lease (without giving effect to any early termination provision). In the event of separate awards, then Lessor and Lessee may retain such separate awards made to each. Such values shall be those determined in the proceeding relating to such taking or, if no separate determination of the values is made in such proceeding, those determined by agreement between Lessor and Lessee. If such agreement cannot be reached, such values shall be determined by an appraiser or appraisers appointed in the manner provided below. The time of taking shall mean 12:01 a.m. of, whichever shall first occur, the date of title transfer or the date of physical possession of the respective portion, or all, of the Premises. If the appointment of an appraiser or appraisers is required, Lessor and Lessee will each select an MAI real estate appraiser licensed in the State of South Carolina and having experience in the appraisal of similar commercial real estate to conduct an appraisal of the Premises or applicable portion thereof, taking into account the then use of the Premises by Lessee, together with the appurtenances to the Premises such as access, parking, and landscaping, but including such value only as appurtenances to the Premises. If the two appraisers shall agree, the agreed value shall be the fair market value of the Premises or applicable portion thereof. If the appraisers do not agree, and the difference between the two appraisals does not exceed ten percent (10%) of the greater appraisal, then the average of the two (2) fair market values as determined by the two appraisals shall determine the fair market value of the Premises or applicable portion thereof. If the difference between the two appraisals is greater than ten percent (10%) of the greater appraisal, then the two appraisers shall select a third MAI appraiser licensed in the State of South Carolina, and the average of the three appraisals shall be the fair market value of the Premises or applicable portion thereof. Each party shall pay the cost of its chosen appraiser and should a third appraiser be necessary, Lessor and Lessee shall each pay one-half (1/2) of the costs of the third appraiser.

Section 8.5. Voluntary Conveyance. A voluntary conveyance by Lessor to a public authority under threat of a taking under the power of eminent domain, in lieu of formal proceedings, shall be deemed a taking within the meaning of this Article 8.

#### **ARTICLE 9: ASSIGNMENT AND SUBLETTING**

Section 9.1. Limitation on Assignment and Subletting. Lessee may not sell, assign, sublease, convey, or transfer all or substantially all of Lessee's interest in this Lease and the leasehold estate created hereby, without the prior written consent of Lessor, which consent will not be unreasonably withheld or delayed. In the event of an assignment, sale, or transfer of all, or substantially all, of Lessee's interest in this Lease, any such assignee, buyer, or transferee shall be required to assume in writing all of Lessee's obligations and shall be bound by all of the terms of this Lease.

#### **ARTICLE 10: INSURANCE**

Section 10.1. Lessor Insurance. Lessor shall at all times during the Term of this Lease maintain in force a policy of insurance insuring the Premises against loss or damage by such perils as are covered under its policy with the South Carolina Insurance Reserve Fund.

Section 10.2. Lessee Insurance. Lessee shall at all times during the Term of this Lease maintain in force policies of insurance (1) insuring Lessee's improvements and infrastructure located on the Premises against loss or damage by such perils as are covered under its policy with the South Carolina Insurance Reserve Fund, and (2) providing commercial general liability coverage applicable to bodily injury and property damage as covered under its policy with the South Carolina Insurance Reserve Fund.

#### **ARTICLE 11: DAMAGE AND DESTRUCTION**

Section 11.1. Duty to Restore Premises. At any time during the Term, or any extension thereof, and so long as no event of default has occurred, if any buildings or other improvements or infrastructure now or hereafter located on the Premises are damaged and/or destroyed in whole or in part by fire, theft, the elements, or any other cause, this Lease shall continue in full force and effect, and the owner, be it Lessor or Lessee, of the subject property shall repair and restore the damaged or destroyed property and any related improvements or infrastructure to the condition it was in, or as close thereto as reasonably possible, prior to the damage. The work of repair and restoration shall be commenced by the responsible party as soon as possible after the damage or destruction occurs, and shall be completed with due diligence. This duty to restore the Premises may be waived by the non-responsible party, which waiver will not be unreasonably or belatedly withheld.

Section 11.2. Application of Insurance Proceeds. Any and all fire or other insurance proceeds that become payable at any time during the Term, or any extensions thereof, because of damage to or destruction of any buildings or other improvements or infrastructure on the Premises shall be applied toward the cost of repairing and restoring the damaged or destroyed buildings or other improvements or infrastructure.

#### **ARTICLE 12: DEFAULTS AND REMEDIES**

Section 12.1. Default. The failure of a party to observe or perform any material covenant, condition, or agreement under this Lease, or the breach of any warranties or representations a party under this Lease, shall constitute an event of default.

Section 12.2. Notice and Right to Cure. A defaulting party shall have sixty (60) days to cure a default after written notice specifying the nature of the default is given by the non-defaulting party.

Section 12.3. Remedies. If any default shall continue uncured by the defaulting party upon expiration of the applicable cure period, the non-defaulting party may exercise any and all remedies available to it at law or in equity.

Section 12.4. Holdover. If Lessee remains in possession of the Premises or any part thereof after the expiration or earlier termination of this Lease, Lessee shall become a Lessee at sufferance. Notwithstanding that Lessor may allow Lessee to continue in possession after the expiration or earlier termination of this Lease, neither that nor the provisions of this section shall constitute a waiver of any of Lessor's rights under this section or this Lease.

**Section 12.5. Dispute Resolution; Waiver of Trial by Jury.**

(a). Any conflict, dispute, or grievance (collectively "Conflict") by and between Lessor and Lessee shall be submitted to mediation before initiating litigation. The mediator selected to conduct the mediation must be mutually agreed upon by Lessor and Lessee. Unless the parties otherwise agree, the mediator must be certified in South Carolina state and federal courts and have experience in matters forming the basis of the Conflict. The site for the mediation shall be Oconee County, South Carolina, and the mediation shall be held within thirty (30) days of the selection of the mediator, unless otherwise agreed. Each party shall bear its own expenses associated with the mediation and the parties shall split the fees and expenses of the mediator evenly. Failure to agree to the selection of a mediator or failure to resolve the Conflict through mediation will entitle the parties to pursue other methods of dispute resolution, including without limitation, litigation. Notwithstanding any other provision contained herein, nothing in this Agreement shall be construed as requiring either party to participate in mediation prior to initiating court proceedings in which a temporary restraining order or preliminary injunction is sought. In such situations, the parties shall conduct mediation within thirty (30) days after the hearing on such motions or within such other time as is prescribed by the court.

(b). LESSOR AND LESSEE MUTUALLY, EXPRESSLY, IRREVOCABLY, AND UNCONDITIONALLY WAIVE TRIAL BY JURY FOR ANY PROCEEDINGS ARISING OUT OF OR IN CONNECTION WITH THIS LEASE. THIS WAIVER IS A MATERIAL INDUCEMENT FOR LESSEE AND LESSOR TO ENTER INTO THIS LEASE.

**ARTICLE 13: SURRENDER AND REMOVAL**

Section 13.1. Surrender of Possession. Upon the expiration of the Term or any earlier termination of this Lease, Lessee shall surrender to Lessor possession of the Premises and all improvements and infrastructure located thereon. Any structures, machinery, or equipment owned by Lessee or any sublessee, other than that which is permanently affixed to the Premises so that it cannot be removed without material damage to the Premises, shall remain the property of Lessee or any sublessee, as may be applicable, and may be removed prior to termination of the Lease.

Section 13.2. Lessee's Quitclaim. Upon the expiration of the Term, or any earlier termination of this Lease, Lessee agrees to execute, acknowledge, and deliver to Lessor, if requested by Lessor, a proper instrument in writing, releasing and quitclaiming to Lessor all right, title, and interest of Lessee in and to the Premises and all improvements or infrastructure remaining thereon.

#### **ARTICLE 14: GENERAL PROVISIONS**

Section 14.1. Conditions and Covenants. All of the provisions of this Lease shall be deemed as running with the land, and construed to be "conditions" as well as "covenants" as though the words specifically expressing or imparting conditions and covenants were used in each separate provision.

Section 14.2. No Waiver of Breach. No failure by either Lessor or Lessee to insist upon strict performance by the other in relation to any covenant, agreement, term, or condition of this Lease, or to exercise any right or remedy consequent upon a breach thereof, shall constitute a waiver of any such breach or of such covenant, agreement, term, or condition. No waiver of any breach shall affect or alter this Lease, but each and every covenant, agreement, term, and condition of this Lease shall continue in full force and effect with respect to any other then existing or subsequent breach and otherwise

Section 14.3. Unavoidable Delay - Force Majeure. If either party shall be delayed or prevented from the performance of any act required by this Lease by reason of acts of God, strikes, lockouts, labor troubles, inability to procure materials, or other cause, without fault and beyond the reasonable control of the party obligated (financial inability excepted), performance of such act shall be excused for the period of the delay; and, the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

Section 14.4. Notices. Unless otherwise specifically provided for in this Lease or by law, any and all notices or other communications required or permitted by this Lease or by law to be served on, given to, or delivered to either party to this Lease shall be in writing and shall be deemed properly served, given, delivered, and received when personally delivered (including confirmed overnight delivery service to the party to whom it is directed), or in lieu of such personal delivery, when three (3) business days have elapsed following deposit thereof in the United States mail, first-class postage prepaid, certified, return receipt requested, addressed to:

LESSOR:                   City of Westminster  
                                  100 E Windsor Street  
                                  Westminster, SC 29693  
                                  Attn: City Administrator

LESSEE:                   Oconee County  
                                  415 South Pine Street  
                                  Walhalla, SC 29691  
                                  Attn: County Administrator

Either party may change its address for the purpose of this paragraph by giving written notice of such change to the other party in the manner provided in this paragraph.



Section 14.5. Captions. Captions in this Lease are inserted for convenience of reference only and do not define, describe, or limit the scope or the intent of this Lease or any of the terms hereof.

Section 14.6. Waiver; Amendment. No modification, waiver, amendment, discharge, or change of this Lease shall be valid unless the same is in writing and signed by the party against which the enforcement of such modification, waiver, amendment, discharge, or change is or may be sought.

Section 14.7. Time. Time is of the essence as to each obligation of each party hereunder.

Section 14.8. Governing Law. This Lease shall be construed and enforced in accordance with the laws of the State of South Carolina, without regard to conflict of law principles.

Section 14.9. Binding Effect. Subject to any provision of this Lease that may prohibit or curtail assignment of any rights hereunder, this Lease shall bind and inure to the benefit of the respective assigns and successors of the parties hereto.

Section 14.10. Execution of Other Instruments. Each party agrees that it shall, upon the other's request, take any and all steps, and execute, acknowledge, and deliver to the other party any and all further instruments necessary or expedient to effectuate the purpose of this Lease.

Section 14.11. Severability. If any term, provision, covenant, or condition of this Lease is held by a court of competent jurisdiction to be invalid, void, or unenforceable or is otherwise challenged and determined to be invalid, illegal, or incapable of being enforced as a result of any rule of law or public policy issued by an administrative or judicial forum that is not subject to further appeal or is not actually appealed, the surviving provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated. In such event or if an opinion of counsel is provided to the effect that this Lease is not so enforceable, the parties shall negotiate in good faith to modify this Lease so as to effect the original intent of the parties as closely as possible and to comply with applicable law, regulations, and published governmental interpretations thereof, in an acceptable manner, to the end that the transactions contemplated hereby are fulfilled to the fullest extent possible.

Section 14.12. Counterparts. This Lease may be executed in one or more counterparts, each of which shall be deemed an original and when taken together will constitute one instrument.

Section 14.13. Estoppel Certificate. Either party shall execute, acknowledge, and deliver to the other party, within twenty (20) days after requested by the other party, a statement in writing certifying, if such is the case, that this Lease is unmodified and in full force and effect (or if there have been modifications, that the same is in full force and effect as modified); the date of the commencement of this Lease; any alleged defaults and claims against the other party; and such other information as shall be reasonably requested.

Section 14.14. Memorandum of Lease. Lessor and Lessee shall execute and acknowledge a memorandum of this Lease for the purpose of recordation. The memorandum of this Lease shall be in the form attached hereto as Exhibit B.

***SIGNATURES ON FOLLOWING PAGE***

IN WITNESS WHEREOF, this Lease has been executed effective as of the Lease Commencement Date above:

IN THE PRESENCE OF:

Kiley Carter  
\_\_\_\_\_

LESSOR:

THE CITY OF WESTMINSTER, SOUTH CAROLINA

By: Kevin Bronson

Name: Kevin Bronson

Title: Interim City Administrator

IN THE PRESENCE OF:

\_\_\_\_\_  
\_\_\_\_\_

LESSEE:

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF PREMISES**

**Parcel 1: All that certain piece, parcel or tract of land with all improvements and appurtenances thereon situate, lying and being in the State of South Carolina, County of Oconee, containing forty-five and one-tenth (45.1) acres, more or less, as shown and more fully described on a plat thereof prepared by Perry B. Wilson, Jr., RLS, dated 1969. See Plat Book P-34, Page 156 of the Records of the Register of Deeds for Oconee County, South Carolina. Parcel map # 233-00-01-033.**

**Parcel 2: AND ALSO all that certain piece, parcel or tract of land with all improvements and appurtenances thereon situate, lying and being in the State of South Carolina, County of Oconee, containing twenty-seven (27) acres, more or less, and being located adjacent to Parcel 1 (45.1 acre tract) described above. Parcel map # 233-00-01-014.**

**Parcel 3: AND ALSO all that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Oconee, containing three and nine-tenths (3.9) acres, more or less, as shown and more fully described on a plat thereof prepared by Perry B. Wilson, Jr., RLS, dated August 28, 1972. See Plat Book P-41, Page 818 of the Records of the Register of Deeds for Oconee County, South Carolina. Parcel map # 233-00-01-016.**

**LESS AND EXPECTING HOWEVER, that portion of the above-described property upon which is located that pump station and appurtenances thereof which is a part of the water system of the City of Westminster which shall remain under the exclusive jurisdiction and control of the City of Westminster.**

EXHIBIT B

MEMORANDUM OF LEASE

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF OCONEE )

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made as of the 20<sup>th</sup> day of JANUARY 2021, between THE CITY OF WESTMINSTER, SOUTH CAROLINA, hereinafter referred to as "Lessor" and OCONEE COUNTY, SOUTH CAROLINA, hereinafter referred to as "Lessee."

1. Lessor and Lessee entered into a certain Real Property Lease Agreement ("Lease"), dated JANUARY 20, 2021 (the "Lease Commencement Date").
2. The property demised under the Lease consists of certain land located in the Oconee County, South Carolina, and more particularly described in Exhibit A, attached hereto.
3. The term of the Lease (the "Term") shall commence on the Lease Commencement Date and shall continue through the day immediately preceding the twenty-fifth (25<sup>th</sup>) anniversary of the Lease Commencement Date, unless earlier terminated as provided in the Lease. Provided Lessee has not defaulted in relation to a provision of this Lease, the Term shall automatically extend for successive ten (10) year periods, up to a maximum of three such ten year extensions. The Term shall not automatically extend, however, if either party gives at least ninety (90) days' written notice of its desire to terminate the Lease prior to the end of the then current term.
4. The Lease is on file at the offices of the County Administrator for the County of Oconee, South Carolina at 415 S. Pine Street Walhalla, South Carolina 29691.
5. All of the terms, conditions, provisions, and covenants of the Lease are incorporated herein by reference as though set forth at length, and the Lease and this Memorandum of Lease shall be deemed to constitute a single document.

*SIGNATURES ON FOLLOWING PAGE*

IN WITNESS WHEREOF, Lessor and Lessee have caused this Memorandum of Lease to be executed and delivered as of the day and year first above written.

IN THE PRESENCE OF:

LESSOR:

THE CITY OF WESTMINSTER, SOUTH CAROLINA

Kiley Carter

By: W/Kew B

Name: Kerim BROUSEN

Title: Interim City Administrator

IN THE PRESENCE OF:

LESSEE:

OCONEE COUNTY, SOUTH CAROLINA

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF SOUTH CAROLINA )

PROBATE

COUNTY OF OCONEE )

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named LESSOR by its duly authorized officer sign, seal, and as its act and deed, deliver the within-written Memorandum of Lease for the uses and purposes therein mentioned and that s/he, with the other witness whose signature appears above witnessed the execution thereof.

SWORN to before me this 20th day of January, 2020.

Kiley Carter  
Witness

Debra Drent  
Notary Public of South Carolina  
My commission expires: 3/22/2021

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named LESSEE by its duly authorized officer sign, seal, and as its act and deed, deliver the within-written Memorandum of Lease for the uses and purposes therein mentioned and that s/he, with the other witness whose signature appears above witnessed the execution thereof.

SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public of South Carolina  
My commission expires: \_\_\_\_\_

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF PREMISES**

**Parcel 1: All that certain piece, parcel or tract of land with all improvements and appurtenances thereon situate, lying and being in the State of South Carolina, County of Oconee, containing forty-five and one-tenth (45.1) acres, more or less, as shown and more fully described on a plat thereof prepared by Perry B. Wilson, Jr., RLS, dated 1969. See Plat Book P-34, Page 156 of the Records of the Register of Deeds for Oconee County, South Carolina. Parcel map # 233-00-01-033.**

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**LESS AND EXPECTING HOWEVER, that portion of the above-described property upon which is located that pump station and appurtenances thereof which is a part of the water system of the City of Westminster which shall remain under the exclusive jurisdiction and control of the City of Westminster.**

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: 2/16/21  
COUNCIL MEETING TIME: 6:00 PM

**ITEM TITLE [Brief Statement]:**

Request for removal of Library Board member for non-attendance

**BACKGROUND DESCRIPTION:**

Kathryn Campbell Smith was appointed in January, 2019. Ms. Smith attended the January and May meetings in 2019, and has not attended a meeting since that time. This member has also not responded to repeated attempts to reach by email, and a letter sent by U.S. Mail inquiring about this member's intent to remain on the Board. Library Board by-laws state that, "(I)f a board member misses two (2) consecutive board meetings without an adequate excuse, the board will bring this matter to the attention of County Council for consideration of termination from the board." We request that Ms. Smith be removed from the Board so that a replacement can be named for the remainder of her term.

**SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:**

n/a

**FINANCIAL IMPACT [Brief Statement]:**

None.

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : \_\_\_\_\_ Finance

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : \_\_\_\_\_ Grants

**ATTACHMENTS**

- Letter from current Board chair asking for removal of this member
- Record of Board attendance since 2017.

**STAFF RECOMMENDATION [Brief Statement]:**

It is the recommendation of the staff liaison to the Board that Ms. Smith be removed so that another appointment may be made to fill this *de facto* vacancy.

Submitted or Prepared By:

  
Department Head/Elected Official

Approved for Submittal to Council:

  
Amanda F. Brock, County Administrator

*Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.*

*A calendar with due dates marked may be obtained from the Clerk to Council.*

January 27, 2021

Oconee County Council  
Chairman John Elliott  
Attn: Katie D. Smith  
Clerk of Council  
Oconee County Administrative Offices  
415 South Pine Street  
Walhalla, South Carolina 29691

Dear Chairman Elliott and Oconee County Council:

The nine member Oconee County Library Board continues to serve in support of the Library System for citizens of Oconee County. Current Board membership includes an appointee who has been unable to fulfill membership duties as it relates to meeting attendance. Katherine Campbell Smith, appointed to the Board in January 2019, attended two of the ten subsequent Board meetings, essentially leaving a de facto vacancy on the Board. The Board and staff liaison have repeatedly reached out to Ms. Smith concerning Board meetings and have received no response.

After discussion and unanimous vote during the January 26, 2021 meeting of the Library Board, we are requesting the removal of Ms. Smith from the Library Board to allow for re-appointment to ensure a full Board membership of nine active members for leadership. The Library Board respectfully requests the removal and opportunity for re-appointment for this position.

If you have any questions, or if I can be of any assistance to you in this matter, please do not hesitate to contact me or our staff liaison, Blair Hinson.

Sincerely,

A handwritten signature in black ink, appearing to read "Allison Griffin Addison", with a long horizontal flourish extending to the right.

Allison Griffin Addison  
Oconee County Library Board Chair

CC: Blair Hinson, Oconee County Library Director





## Oconee County Library Board Attendance 2020

	1/27/20	3/23/20	5/26/20	7/28/20	9/29/20	11/24/20	
Brackett, Beverley	P	Mtg Cancelled	P	P	Mtg Cancelled	Mtg Cancelled	0
Addison, Allison	P	Mtg Cancelled	P	A	Mtg Cancelled	Mtg Cancelled	1
Holleman, Kelly	P	Mtg Cancelled	A	P	Mtg Cancelled	Mtg Cancelled	1
Martin, Lisa	P	Mtg Cancelled	P	P**	Mtg Cancelled	Mtg Cancelled	0
Morrison, Chanda	P	Mtg Cancelled	P	A	Mtg Cancelled	Mtg Cancelled	1
Powell, Clifton*	P	Mtg Cancelled	P	P	Mtg Cancelled	Mtg Cancelled	0
Smathers, Diane	P	Mtg Cancelled	A	A	Mtg Cancelled	Mtg Cancelled	2
Smith, Kathryn	A	Mtg Cancelled	A	A	Mtg Cancelled	Mtg Cancelled	3
Suddeth, Alisa	A	Mtg Cancelled	P	P	Mtg Cancelled	Mtg Cancelled	1

\*Appointed in 2020

\*\*Via Facetime



## Oconee County Library Board Attendance 2021

	1/26/21	3/23/21	5/25/21	7/27/21	9/28/21	11/23/21	
Brackett, Beverley	P						1
Addison, Allison	P						1
Henderson, Shelby**	P						1
Holcombe, Paul**	A						0
Kuemmerer, Liz**	P						1
Miranda, Nivia**	P						1
Powell, Clifton*	A						0
Smathers, Diane	A						0
Smith, Kathryn	A						0

\*Appointed in 2020

\*\* New members appointed in 2021

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: February 16, 2021**

**COUNCIL MEETING TIME: 6:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Allocation of direct funding not to exceed \$210,000 to the Town of Salem for the engineering and installation of waterline along the Highway 11 business corridor, pump station, generator, and related system infrastructure.

**BACKGROUND OR HISTORY:**

On July 17, 2018, funds not to exceed \$210,000 were approved by Council to be appropriated from the Economic Development fund and committed as a match for the purposes of contributing to a grant which would improve the Town of Salem's water system with the extension of a waterline along Highway 11. The funds would ultimately be presented as match on an EDA Disaster Relief grant application for which no award was granted to the Town of Salem.

On May 21, 2019, Council approved the funds to be earmarked for the same project and authorized the County Administrator to allow the County Grants Writer and Coordinator to work with the Town of Salem to obtain a grant for the remaining amount of the project cost. An Economic Infrastructure grant application was submitted to the SCRIA, but no award was granted due to greater infrastructure needs in the state.

The \$210,000 remains earmarked and unspent.

In 2020, the Town of Salem applied for a loan from the State Revolving Fund (SRF) and was selected for the 2021 (Fiscal Year 2020) project list. The Town of Salem has been awarded \$216,000 in principal forgiveness assistance for an estimated project cost of \$270,000. The Rosier Group is currently managing engineering for the project and the SRF loan. The Rosier Group has estimated the total project cost at \$640,922.40. The Town of Salem wishes to be directly allocated the earmarked \$210,000 to supplement the difference between the SRF estimate and the Rosier Group's estimate of the total project cost and begin construction for the project. The allocation of these funds will allow the Town of Salem to begin construction as soon as possible and make much needed improvements to the water system.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

This project will benefit County residents, visitors, and businesses. More customers will be able to tap off of the Highway 11 waterline and the Salem water system as a whole. This will also be an economic driver for new business in the area.

**FINANCIAL IMPACT:**

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available:

If yes, who is matching and how much:

**ATTACHMENTS**

Preliminary Engineering Report; Town of Salem financial statements. Rosier Group Statement of Qualifications; SRF Intended Use Plan.

**STAFF RECOMMENDATION:**

It is staff's recommendation that Council approve the allocation of direct funding not to exceed \$210,000, which has been earmarked for this project, to the Town of Salem for the engineering and installation of waterline along Highway 11, pump station, generator, and related system infrastructure.

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney      \_\_\_\_\_ Finance      \_\_\_\_\_ Grants      \_\_\_\_\_ Procurement

**Submitted or Prepared By:**

**Approved for Submittal to Council:**

  
Madeline Compton, Grants Writer

  
Amanda Brock, County Administrator

*Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.*

*A calendar with due dates marked may be obtained from the Clerk to Council.*

**BRIEF PRELIMINARY ENGINEERING REPORT**

**TOWN OF SALEM, SC**

In partnership with  
OCONEE COUNTY, SC

**HWY 11 BUSINESS CORRIDOR**

**WATER INFRASTRUCTURE SYSTEM IMPROVEMENTS**

26 February 2020



***ROSIER GROUP***  
*Engineers & Surveyors*

**HWY 11 BUSINESS CORRIDOR  
WATER INFRASTRUCTURE IMPROVEMENTS**

**Proposed Project Description:** Construction of 3,860 LF 8" water main along Hwy 11 from Park Avenue to Lydia Mountain Road (See attached map). The project will provide fire protection along S.C. Hwy 11, especially for the existing commercial facilities near Lydia Mountain Road. Further, the infrastructure improvements will provide for commercial growth, specifically for projected water demands relating to domestic, irrigation, and fire protection needs.

**Hydraulic Evaluation:** Based on a flow test conducted on the existing Salem Water System near the intersection of Hwy 11 and Park Avenue, the proposed water system improvement will meet the projected water demands relating to domestic, irrigation, and especially fire protection along this immediate Business Growth Corridor; and is designed to be extended further west along S.C. Hwy 11, meeting the same hydraulic objectives.

**HWY 11 BUSINESS CORRIDOR 8" MAIN**

**PRELIMINARY OPINION OF COST**

ITEM NO.	DESCRIPTION	EST QTY.	UNIT	UNIT PRICE IN PLACE	AMOUNT
1	EQUIPMENT MOBILIZATION		LS		\$ 5,000.00
2	TESTING, STERILIZATION, AND SAMPLING		LS		1,200.00
3	6" x 8" MAIN CONNECTION	1	EA	@ 4,500.00	4,500.00
4	8" DIP (CL350)/FITTINGS/MMTAPE/WIRE	3,860	LF	@ 50.00	193,000.00
5	8" MJ GATE VALVE/BOX/RING	2	EA	@ 1,600.00	3,200.00
6	6" MJ GATE VALVE/BOX/RING	4	EA	@ 1,200.00	4,800.00
7	3-WAY FIRE HYDRANT ASSEMBLY	3	EA	@ 4,200.00	12,600.00
8	BORE DRIVEWAYS	90	EA	@ 50.00	4,500.00
9	CONCRETE MARKER	3	EA	@ 60.00	180.00
10	EROSION CONTROL BMPs		LS		9,650.00
11	TRAFFIC CONTROL		LS		5,000.00

Construction	\$238,630.00
Contingency	\$15,000.00

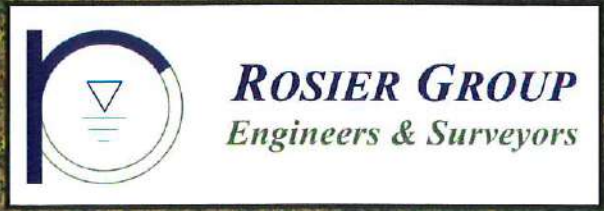
Total Construction and Contingency	\$ 253,630.00
Engineering, Supervision and Inspection	25,363.00
DHEC Permit	400.00
SWPPP Permitting / SWPPP Application Fee	0.00
G.I.S. Mapping Fee	600.00
Performance and Payment Bond	7,158.90
<b>TOTAL</b>	<b>\$ 287,151.90</b>

**Plus service connections**

NOTE: Cost plus 15% of any extra work incurred will be added to this estimate due to any abnormal laying conditions encountered (rock excavation, other latent soil conditions, subsurface structures, etc.)

**Town of Salem  
Hwy 11 Business Corridor  
8" Main**

**3,860 LF  
8" D.I.P.  
\$287,151.90**



Date: 2/26/2020

1 inch = 500 feet





- Welcome
- Reports ▼
- Transfers and Payments
- Account Services
- Administration

- Activity - deposit accounts
- Balances - deposit accounts**
- Activity & balances
- Forecast balances
- Manage saved searches

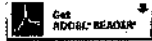
Saved Reports: (Edit)

- Quick Links:
- Stop check payments
  - Search images

## Search Deposit Account Balances

Up to 18 months of data are available

- Output to:
- Screen (HTML)**
  - BAI2 file** (Creates a file that can be imported into an account processing application)
  - CSV file** (Can be used by a spreadsheet program)
  - PDF** (Creates a document that can be saved or printed)  
To view your output as a PDF, you must have Adobe® Reader® installed on your computer. To download the Adobe® Reader® click the Adobe link below. To confirm you have Adobe® Reader® installed, view this [sample pdf file](#).



To add, edit, or delete a custom file export format, go to [File Export](#).

Accounts:

1-5

View: All accounts ▼ Go

<input type="checkbox"/>	Description	Type	Account	ABA/TRC	Balance
<input type="checkbox"/>	Contingency*2533	Checking	*2533	063202130	Available \$268,741.35
<input type="checkbox"/>	Water Dept - Jocassee*4454	Checking	*4454	053202130	Available \$38,719.83
<input type="checkbox"/>	Water Dept - RiverCap*4421	Checking	*4421	053202130	Available \$119,230.83
<input type="checkbox"/>	Water Dept -Cliffs*4553	Checking	*4553	053202130	Available \$367,702.99
<input type="checkbox"/>	Water Dept -Original*4439	Checking	*4439	053202130	Available \$153,921.84

- Date range:
- Specific date: 09 / 08 / 2020   
(mm/dd/yyyy)
  - From: 08 / 04 / 2020   
(mm/dd/yyyy)
  - To: 09 / 08 / 2020   
(mm/dd/yyyy)
  - Previous business day

Account sort: Account number ▼

- Summary information:
- All information
  - Specific information:
    - Closing ledger balance
    - Total credits
    - Total debits
    - One day float
    - Opening ledger balance
    - Related available balance
    - Current avail bal csr suppressed
    - Total credits - number
    - Total debits - number
    - Available balance

[Generate report](#)

- [How Do I...](#)
- [Terms](#)
- [FAQs](#)





Central Bank Operations - DAC02  
 P.O. Box 27131  
 Raleigh, NC 27611-7131



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 462

000004455 FCBTZEST080120316593 01 000000 073073 002



**TOWN OF SALEM**  
**OPERATING ACCOUNT**  
**FUND 30**  
**5A PARK AVE**  
**SALEM SC 29676-3304**

Your Account(s) At A Glance	
Checking Balance	288,943.91

Statement Period: July 1, 2020 Thru July 31, 2020

Account Number: 160161020501



**Analysis Business Checking**

Account Number: 160161020501

Enclosures In Statement: 0

<b>Beginning Balance</b>	<b>274,464.95+</b>	<b>Statement Period Days</b>	<b>31</b>
0 Deposits	0.00	<b>Average Ledger Balance</b>	<b>278,202.00+</b>
1 Other Credits	31,928.85+		
0 Checks	0.00		
14 Other Debits	17,051.10-		
Monthly Service Charge	398.79-		
<b>Ending Balance</b>	<b>288,943.91+</b>		

**Other Credits To Your Account**

Date	Description	Amount
07-20	Town Of Salem Deblts -Sett-Ffipas01	31,928.85
	<b>Total</b>	<b>31,928.85</b>

**Other Debits And Monthly Service Charge**

Date	Description	Amount
07-02	Duke Energy SE Web_pay *****0120	18.71
07-02	Duke Energy SE Web_pay *****0120	18.86
07-14	SC Dept Revenue Deblt ***9747	982.75
07-15	Wells Fargo Bank Wellsfargo *****9573	417.24
07-15	Seneca Light-Wat Utility DD **-*52-00	10,748.14
07-16	Lease Direct Web Pay ****7570	300.00
07-17	Aft Payment *****0011Epayb	759.05
07-21	Town Of Salem Return -Sett-Auto	202.75
07-22	Town Of Salem Return -Sett-Auto	434.93
07-23	Duke Energy SE Web_pay *****2220	476.68
07-23	Duke Energy SE Web_pay *****2220	493.11
07-23	Duke Energy SE Web_pay *****2220	881.78
07-24	SC Dept Revenue Deblt ***3504	885.98
07-27	Wells Fargo Bank Wellsfargo *****5031	431.12
	<b>Total</b>	<b>17,051.10</b>
07-07	June Service Charge	398.79



Direct Customer Inquiry Calls To  
 FIRST CITIZENS DIRECT  
 Telephone Banking At 1-888-323-4732

00004455 08909 0001-0002 DCB TZEST080120316593 00 L 00073073

# **The Town of Salem**

## **STATEMENT OF QUALIFICATIONS**

**For**

**Professional Engineering Services**

**January 2020**



***ROSIER GROUP***  
***Engineers & Surveyors***

## INTRODUCTION

---

Rosier Group (formerly Beeson-Rosier Group) is successor to Beeson Engineering Company, an engineering and surveying firm established in 1951, with original headquarters in Liberty, South Carolina. Our sphere of operations is mainly in upstate South Carolina; although, occasionally, we perform consulting service to clients in neighboring southeastern states. We have purposely limited our area of service so that close, personal attention can be given to each client project—from planning, through implementation, to productive use. “We live too close to our work to run away—we have to live with it”.

Beeson-Rosier holds a CERTIFICATE OF AUTHORIZATION from the State of South Carolina which enables our firm to offer and provide professional engineering and professional surveying services on a corporate level.

Rosier Group (formerly Beeson-Rosier Group) has expertise and experience to provide the following engineering and related services for residential, commercial and industrial projects:

- WATER SUPPLY & DISTRIBUTION
- WASTEWATER SYSTEMS
- CONSTRUCTION INSPECTION
- CONSTRUCTION MANAGEMENT
- STREETS / ROADS
- PROPERTY & TOPOGRAPHIC SURVEYS
- CONSTRUCTION SURVEYS
- PROJECT FUNDING APPLICATION & COORDINATION (GRANTS)
- SITE UTILIZATION
- LAND USE
- STORMWATER MANAGEMENT / EROSION CONTROL
- GAS DISTRIBUTION
- LANDSCAPING
- TRAFFIC ENGINEERING
- CADD MAPPING
- GIS MAPPING
- GPS SURVEYING
- HYDRAULIC MODELING

## SPECIFIC QUALIFICATIONS

1. Is Local: We have successful experience and good rapport with local and state agencies such as SCDHEC and SCDOT and Anderson County Roads & Bridges. Our personnel are readily available for on-site consultation.
2. Our present team has performed over 60 combined years of engineering services directly in the Upstate of S.C. We have intricate knowledge of the local area agencies for permitting and inspections.
3. Performs engineering on-site: Our employees take pride in knowing that just because it looks good in the office on paper doesn't mean it "works" in the field. We wear our boots all the time.
4. Knowledge: We have the staff and consulting services available to ensure the most technically competent and advanced water, sewer and stormwater system and will dedicate the time to produce the least possible, O & M procedures for any and all projects.
5. Public perception: Every effort will be made to maintain a good public relationship. The ultimate goal will be to have the local residents proud of all projects for The Town of Pendleton.
6. It's local again: Our personnel are dedicated, hardworking, and take pride in their work—we live nearby. This project success is a direct reflection of our name, both as a company and as individuals.

## **SIMILAR PROJECTS IN AREA**

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Our personnel have provided extensive engineering, mapping and surveying services on water and / or sewer system improvement projects for the following:

Bethlehem-Roanoke Rural Community Water District

Belton-Honea Path Water Authority

Big Creek Water & Sewerage District

Blue Ridge Rural Water Company

Broadway Water & Sewerage District

City of Liberty

City of Pickens

Dacusville-Cedar Rock Water Company

Easley Central Water District

Hammond Water District

Highway Eighty-Eight Water District

Laurens County Water and Sewer Commission

Powdersville Water District

Sandy Springs Water District

Six Mile Rural Community Water District

Southside Rural Community Water District

Starr-Iva Water District

Town of Central

Town of Westminster

References follow next pages

(Please note: This list is composed of all our clients—not just the ones that we “choose” hoping to give a good reference)

## References

Bethlehem-Roanoke Rural Community Water District  
P.O. Box 853  
Pickens, SC 29671  
Randy Broom, Manager – (864) 878-4085

Dacusville-Cedar Rock Water Company  
P.O. Box 853  
Pickens, SC 29671  
Randy Broom, Manager – (864) 878-4085

Belton-Honea Path Water Authority  
525 Filter Plant Road  
Honea Path, SC 29654  
Mitch Ellenburg, Manager – (864) 369-7442

Big Creek Water & Sewerage District  
250 Mitchell Road  
Belton, SC 29627  
Chuck Cortez, Manager – (864) 847-4957

Blue Ridge Rural Water Company  
2241 Fewes Chapel Road  
Greer, SC 29651  
Brad Powers, Manager – (864) 895-1719

Broadway Water & Sewerage District  
4926 Belton Hwy.  
Anderson, SC 29621  
Kevin Simpson, Manager – (864) 225-3821

City of Liberty  
P.O. Box 549  
Liberty, SC 29657  
Bruce Evilsizor – City Administrator – (864) 843-3177

City of Pickens  
P.O. Box 217  
Pickens, SC 29671  
David Poulson, Administrator – (864) 878-6421

Easley Central Water District  
P.O. Drawer C  
Norris, SC 29667  
Joe Bracken, Manager – (864) 639-2883

Hammond Water District  
250 Mitchell Road  
Belton, SC 29627  
Chuck Cortez, Manager – (864) 847-4957

Highway Eighty-Eight Water District  
P.O. Box 488  
LaFrance, SC 29656  
Chris Brown, Assistant Manager – (864) 646-7729

Laurens County Water and Sewer Commission  
P.O. Box 1006  
Laurens, SC 29360  
Kevin Anderson, Engineer – (864) 682-3250

Powdersville Water District  
1719 Circle Road  
Powdersville, SC 29642  
Dyke Spencer, Manager – (864) 269-5440

Sandy Springs Water District  
P.O. Box 495  
LaFrance, SC 29656  
Tracy Durham, Manager – (864) 646-7729

Six Mile Rural Community Water District  
P.O. Box 350  
Six Mile, SC 29682  
Tim Gilstrap, Manager – (864) 868-0942

Southside Rural Community Water District  
P.O. Box 73  
Liberty, SC 29657  
David Burns, Manager – (864) 843-3440

Starr-Iva Water District  
P.O. Box 39  
Starr, SC 29684  
Patrick Jackson, Manager – (864) 352-6717

Town of Central  
P.O. Box 549  
Central, SC 29630  
Dean Martin, Public Utilities Director – (864) 639-6381

City of Westminster  
P.O. Box 399  
Westminster, SC 29693  
Clyde Crowe, Public Utilities Superintendent

**Further References Include:**

USDA Rural Development  
1521 Pearman Dairy Road  
Anderson, SC 29625  
Debi Green, Area Specialist – (864) 224-2126

Appalachian Council of Governments (ACOG)  
P.O. Box 6668  
30 Century Circle  
Greenville, SC 29606  
Arlene Young, Grant Services Director – (864) 241-4644

State Revolving Fund (SRF)  
2600 Bull Street  
Columbia, SC 29201  
Shawn Clarke, SRF Program Manager - (803) 898-3993

Anderson County Office of Economic Development  
126 North McDuffie Street  
Anderson, SC 29621  
Burriss Nelson, Director – (864) 260-4386

Alliance Pickens  
P.O. Box 279  
509 S. Lewis Street, Suite B  
Pickens, SC 29671  
A. Ray Farley II, Executive Director – (864) 898-1500 ext. 100

SC Rural Infrastructure Authority  
1201 Main Street, Suite 1600  
Columbia, SC 29201  
Liz Rosinski, Program Manager – (803) 737-6804



# RESUMES



**ROSIER GROUP**  
*Engineers & Surveyors*

**Troy D. Rosier, P.E.**  
**Owner / President**

Troy Rosier was employed by the original Beeson Engineering Company during under graduate summers and became a principle therein upon graduation 1983. He obtained a MS degree in Water Resources Engineering. He has twenty-eight years sound engineering practice in the design and execution of various types of engineering work, with emphasis in water and waste water systems. His engineering mapping experience has evolved from hard-pencil drawn mapping and manual field measured triangulation in the 1980's through the implementation of AutoCAD based drawings of water and sewer systems through the 1990's. He currently leads his firm in engineering systems for various water and sewer districts and municipalities in the S.C. Upstate.

**Education**

Clemson University, BSCE 1983

Clemson University, MSCE 1987 – **Water Resources**

**Professional Timeline**

Employed by Beeson Engineering Company during undergraduate summers and became principle therein upon graduation.

Proofed and coordinated research documents for National Headquarters of Water Resources Research Institute part time under Dr. Zielinsky of Clemson University – 1982- 1983.

**Professional Memberships**

Professional Engineer, South Carolina, Reg. No. 12313- June 1988

South Carolina Rural Water Association

American Waterworks Association

National Society of Professional Engineers

**Significant contributions to the public**

Board Member United Christian Ministries

Board Member YMCA (former)

Designed Water Systems for the following: (all pro bono)

- Rocky Bottom Camp for the Blind
- Victorious Valley Girls Home
- Flat Rock Baptist Church in Liberty, SC
- Cedar Rock Baptist Church in Easley, SC
- Calvary Hill Baptist Church in Easley, SC

Site Design and Construction Management for: (pro bono)

- Pickens County YMCA Hwy 8 Pickens



**ROSIER GROUP**  
*Engineers & Surveyors*

**Sam B. Glenn, Jr., P.E. & P.L.S.**  
**Staff Civil Engineer / Land Surveyor**

Sam Glenn is a Licensed Engineer and Land Surveyor. Sam began his career with Farmer & Simpson Surveying Co. in 2002 as a field surveyor. He began in 2003 with Rosier Group (formerly Beeson-Rosier Group) as an Engineer-in-Training working under Jim Beeson and Troy Rosier learning all aspects of Engineer Design and construction. He has ten plus years experience. Responsibilities include working with clients for site survey, design, construction and technical specifications. He is proficient in survey grade GPS equipment. Proficiencies include Boundary, Topographic, Construction layout & GPS Surveying.

**Education**

The Citadel, BSCE, 2002

**Professional Certifications**

Professional Engineer, South Carolina, Reg. No. 24277, April 2010

Licensed Land Surveyor, South Carolina, Reg. No. 24277, June 2005

Introduction to ArcGIS I – 2003

Certified in STORM WATER POLLUTION PREVENTION (CEPSCI)

**Professional Timeline**

Farmer & Simpson Surveying Co., Anderson, SC 2001 – 2003

Rosier Group (formerly Rosier Group (formerly Beeson-Rosier Group)) 2003 – Present

**Project Examples**

**Survey Projects**

Blue Ridge Rural Water Company – Cliffs at Glassy – Groundwater Treatment Facility

Laurens County Water and Sewer Commission – Hwy 76 / Clinton Area Lift Station Rehab  
Project

Southern Center – Boundary, Topographic, and Construction layout of S/D

Starr-Iva Water District – Starr-Iva Tank Site Survey - Boundary, Topographic, and Construction  
layout of S/D

City of Easley- Downtown Beautification Project – Topographic and As-Built Survey

**Tank Projects – Layout**

Hammond Water District – Evergreen Road 1.5 MG Elevated Tank Project

Blue Ridge Rural Water Company-Cliffs at Glassy – Groundwater Treatment Facility

Starr-Iva Water District – 2008 RD Project

Southside Rural Community Water District – 2008 Capital Improvement Plan

Sandy Springs Water District – 2006 RD Project

**Construction Projects**

SCDOT Relocation Projects, Potable Water Main Projects, Sanitary Sewer Main Projects



**ROSIER GROUP**  
*Engineers & Surveyors*

Nancy M. Turpin, Office Manager  
Project Manager / CADD Technician

Nancy Turpin began with Rosier Group (formerly Beeson-Rosier Group) in 1998 and has 35 combined years' experience in office management, public relations, and technical applications, extensive coordination experience in USDA Rural Development and State Revolving Fund loan procedures. She also has 12 years experience in CADD with emphases in mapping systems and GIS mapping.

#### **Education**

Southern Wesleyan University, Masters 2012 MBA  
Central Wesleyan College, BSMHR, 1993  
Tri-County Technical College, A.S. – Business Management  
Greenville Technical College – GIS Certification

#### **Professional Certifications**

Basic AutoCAD Release 14 – 1999  
Autodesk Land Development Desktop R3 – 2002  
Introduction to ArcGIS I – 2003

#### **Professional Timeline**

Rosier Group (formerly Beeson-Rosier Group), Easley, SC

#### **Project Examples:**

**Community Development Block Grant** – City of Liberty – Downtown Project. City of Pickens – Village Renaissance Project, Sidewalk Renovations, Sandy Springs Water District – La France Mill Village EAST & WEST, City of Westminster – Hampton Ave Sewer Rehab., Park & Pritchard Sewer Rehab., Northern Loop 12" Main, Easley-Central Water District – Catechee Village Water Main

**RIA Rural Infrastructure Authority** – City of Liberty – Hwy 178 /93 Sewer Rehab, City of Pickens – Ann Street Water Main, Mt Tabor Church Road 8" Water Main, Connelly Road 8" Water Main, Town of Central – Simms School Road Gravity Sewer Main, Six Mile RC Water District – Furman Smith Mem Hwy, City of Westminster – Park & Pritchard Sewer Main.

**SRF Revolving Funds** – Powdersville Water District - 12" Water Main Extension Shackleburg Loop, Southside Rural Community Water District - 2008 Capital Improvement Plan and Laurens County Water and Sewer Commission – Hwy 76/Clinton Area Lift Station Rehab Project.

**RD – USDA Rural Development** – Blue Ridge Rural Water Company, Inc. – Hwy 14 Supply Main Water Systems Improvements, Sandy Springs Water District – 2010 R.D. C.I.P. Project, Starr-Iva Water District – 2008 RD Project, 2009 RD Project and 2010 RD Project Office and Parking Garage. Six Mile Rural Community Water District – 2013 RD Project, Hammond Water District – 2016 RD Project

AutoCAD Mapping – Complete mapping systems digitized from aerial photo's complete with water mains for following clients: Bethlehem-Roanoke Rural Community Water District, Dacusville-Cedar Rock Water Company, Big Creek Water & Sewerage District, Hammond Water District, Blue Ridge Rural Water Company, Broadway Water & Sewerage District, Highway Eighty-Eight Water Company, City of Liberty, Powdersville Water District, Sandy Springs Water District, Southside Rural Community Water District, Starr-Iva Water District.



**ROSIER GROUP**  
*Engineers & Surveyors*

**Zach Hood, P. E.**

Zach Hood began in 2007 with Rosier Group (formerly Rosier Group) as an Engineer in Training.

**Education**

Clemson University, BSCE, 2007

**Professional Certifications**

Professional Engineer, South Carolina, Reg. No. 30382, December 2012  
Certified in STORM WATER POLLUTION PREVENTION (CEPSCI)

**Professional Timeline**

Rosier Group (formerly Rosier Group (formerly Beeson-Rosier Group), 2007 - Present

School District of Pickens County – Maintenance worker – June 2002 – August 2005  
Assisted The Director of Operations in the management of contractors on construction projects, performed general grounds maintenance of schools, worked with electricians, plumbers, and carpenters in repair and maintenance of school buildings.

**Project Examples**

Starr-Iva Water District – 2008 RD Project  
Southside Rural Community Water District – 2008 Capital Improvement Plan  
Powdersville Water District – SRF 12” Water Main Extension Shackleburg Loop  
Dacusville-Cedar Rock Water Company – Ground Storage Tank  
City of Liberty – Downtown Water Main Project



**ROSIER GROUP**  
*Engineers & Surveyors*

**Dane W. Rosier, P.E.**  
**Water Resources Engineer**

Dane Rosier began in 2013 with Beeson-Rosier Group as an Engineer in Training.

#### **Education**

Clemson University, MSCE – Applied Fluid Mechanics, 2013

Clemson University, BSCE, 2012

#### **Professional Certifications**

Certified in STORM WATER POLLUTION PREVENTION (CEPSCI)

CRLA Master Certified Tutor, Level III

#### **Professional Timeline**

Beeson-Rosier Group, 2013 – Present

Prepare SWPPPs (Stormwater Pollution Prevention Plans); inspect erosion prevention and sediment control measures for water main construction; perform hydraulic modeling, water system design, and sanitary sewer system design; process and analyze GIS data for water and sanitary sewer systems.

Clemson University Civil Engineering Department – Graduate Grading Assistant, August 2012- April 2013

Graded assignments of undergraduate students in CE 208 Dynamics and CE 342 Applied Hydraulics and Hydrology, administered in-class quizzes.

#### **Project Examples**

Broadway Water & Sewerage District – 2012 R.D. Project (~75,000 LF water main)

City of Pickens – Recreation Department Outdoor Volleyball Court (one regulatory-sized outdoor sand volleyball court)

City of Pickens – Sanitary Sewer System Analysis (~800 manholes, ~39 miles gravity mains, ~8,000 LF of force mains, 6 lift stations)

City of Westminster – 12” D.I. Northern Loop Project (~29,000 LF 12” water main)

Star-Iva Water District – 2009 RD Project (~\$16 million water infrastructure improvement project)



**ROSIER GROUP**  
*Engineers & Surveyors*

**Kris Wilkie,**  
**GIS Analyst & Project Inspector**

Kris Wilkie began in 2016 with Rosier Group as an GIS Analyst.

**Education**

University of South Carolina, BSBF, 1987

Greenville Technical College – A.S. in Engineering Technology with a Major in Geomatics Technology with Honors, 2008.

Proficient in developing water utility geodatabase and in ArcGIS.

3 years experience GIS / Surveying. Use of robotic total station survey grade GPS, GIS Surveying field data collection, and GPS data correction.





**ROSIER GROUP**  
*Engineers & Surveyors*

**Carol Holcombe,  
Administrative Assistant,  
Network Communicator**

Carol began at Rosier Group (formerly Beeson-Rosier Group) in January 2007 as Administrative Assistant and Bidding Process Coordinator.

Efficient in preparing and coordination of contract documents and specifications specifically, EJCDC Documents, in coordination with USDA Rural Development, SC State Revolving Loan Fund, SC Department of Commerce, SC Rural Infrastructure Authority and other funding agency requirements.

Communication and Construction timeline recorder for all Contractors and Engineers working on all projects designed by Beeson-Rosier Group.

**Education**

North American Secretarial School, 1990

**Professional Timeline**

35 years' experience in Executive, Administrative and Public Relations capacities.  
Rosier Group (formerly Beeson-Rosier Group), 2007 - Present

## PROJECT EXAMPLES – MOST RECENT

### CITY OF PICKENS

#### **South Pickens Sidewalk Project**

Installation of approximately 2,000 LF of new sidewalk, ADA ramp and related construction for The City of Pickens. CDBG Grant

### SANDY SPRINGS WATER DISTRICT

#### **La France Mill Village EAST**

Installation of 2,928 LF 6"; 5,282 LF 3" water mains, (5) five fire hydrants and related appurtenances to replace old mains and provide flow for fire protection. CDBG Grant

### SANDY SPRINGS WATER DISTRICT

#### **La France Mill Village WEST**

Installation of 1,110 LF 8"; 613 LF 6"; 2,172 LF 4" water mains, (3) three fire hydrants and related appurtenances to replace old mains and provide flow for fire protection. CDBG Grant

### CITY OF PICKENS

#### **Ann Street Relocation Project**

Installation of 100 LF 8", 2,575 LF 6" water mains, (4) Four fire hydrants and related appurtenances to replace old main and provide flow for fire protection. CDBG Grant

### CITY OF WESTMINSTER

#### **Hampton Street Sewer Upgrade Project**

Installation of 1,346 LF of 10" gravity sewer main, 2,052 LF of 8" gravity sewer main, (20) twenty manholes and related appurtenances in order to replace and upgrade existing problematic mains in the service area. CDBG Grant

### CITY OF PICKENS

#### **Connelly Road 6" Main**

Installation of approximately 8,870 LF 6" water main, (4) four fire hydrants. (3) three post type hydrants and all necessary appurtenances to replace old main and provide fire flow. RIA Grant

### SIX MILE RURAL COMMUNITY WATER DISTRICT

#### **Furman Smith Memorial Hwy 6" Main**

Installation of approximately 7,050 LF 6" water main, (6) six fire hydrants and related appurtenances to replace old 2" main and provide flow for fire protection. RIA Grant

### CITY OF WESTMINSTER

#### **Park & Pritchard Streets Sanitary Sewer Collector Replacement**

Installation of approximately 3,466 LF 8" gravity sewer line, 23 manholes and all necessary appurtenances to replace and upgrade existing mains in the service area. RIA Grant

### TOWN OF CENTRAL

#### **Simms School Road Are Gravity Sanitary Sewer Main**

Installation of approximately 7,185 LF 10" gravity sewer and 38 manholes in order to enhance and expand existing sewer system. RIA Grant

**CITY OF PICKENS**

**Mt. Tabor Church Road 6" Replacement Main**

Installation of approximately 8,940 LF 6" water main and (6) six fire hydrants and related appurtenances to replace old 3" main and provide flow for fire protection. RIA Grant

**CITY OF WESTMINSTER**

**Hwy 76 Relocate**

Installation of approximately 4,650 LF of 8" water main, (3) three fire hydrants, and related appurtenances to replace an existing system and provide flow for fire protection. RIA Grant

**CITY OF LIBERTY**

**US 178 / SC 93 Intersection Improvements**

Installation of approximately 515 LF 10", 1,220 LF 8" sewer mains, and (8) eight manholes. RIA Grant

**HAMMOND WATER DISTRICT**

**2016 Rural Development Project**

**Division I:** Installation of approximately 12,423 LF 10" water main, 117 LF 8" water main, 8,950 LF 6" water main, 100 LF 3" water main, (16) sixteen fire hydrants, and all related appurtenances to replace old mains throughout system.

**Division II:** Installation of approximately 4,290 LF 10" water main, 21,332 LF 8" water main, (17) seventeen fire hydrants, (1) one Bridge Crossing and all related appurtenances to replace old mains throughout system.

**SIX MILE RURAL COMMUNITY WATER DISTRICT**

**2013 R.D. Project**

Installation of a Master Metering Station; a Booster Pumping Station; approximately 3,980 LF 16", 56,000 LF 12", and 10,350 LF 6" water mains; and related appurtenances to improve hydraulic characteristics in the eastern portion of the District's system. USDA Rural Development Funding - February 2016

**CITY OF LIBERTY**

**Woodside Circle / Crane Street 8" Sanitary Sewer Rehab**

Installation of approximately 3,900 LF of 8" gravity sewer and 21 manholes.

**CITY OF LIBERTY**

**Rosewood Street & Sewer Rehab**

Installation of approximately 670 LF of 8" gravity sewer and 3 manholes.

**BETHLEHEM-ROANOKE RURAL COMMUNITY WATER DISTRICT**

**Pickens Walmart**

Installation of approximately 1,030 LF of 12", 800 LF of 8" water lines, three (3) fire hydrants and all related appurtenances to serve a proposed retail site and provide flow for fire protection.

**CITY OF PICKENS**

**S.C. Hwy 8/8" Sewer Collector Main**

Installation of approximately 1,604 LF of 8" gravity sewer main and 8 manholes to serve two (2) shopping centers and two (2) residences.

## **TOWN OF CENTRAL**

### **SCADA System**

A Turnkey Supervisory Control and Data Acquisition system designed to monitor, control, and regulate the water system pressures and tank levels in the Town of Central.

## **BLUE RIDGE RURAL WATER COMPANY INC.**

### **Cliffs Valley North – 2011 GWS Supply Project**

Installation of 3,980 LF of 6" water mains, two (2) fire hydrants, two (2) prestressed ground concrete tanks, three (3) duplex pumping stations, electrical and SCADA controls, 3" master metering station and related appurtenances to modify the existing Cliffs Valley North system to allow for a new G.W.S. source supply.

## **BIG CREEK WATER & SEWERAGE DISTRICT**

### **2010 RD Project**

Installation of approximately 44,835 LF of 10", 84,960 LF of 8", 2,425 LF of 6", 350 LF of 3" water mains, seventy (70) fire hydrants and all necessary appurtenances.

## **CITY OF WESTMINSTER**

### **12" D.I. Northern Loop Project**

Installation of approximately 33,500 LF of 12" water main, thirty (30) fire hydrants and all related appurtenances to loop system and provide flow for fire protection.

## **STARR-IVA WATER DISTRICT**

### **2010 R.D. Project – OFFICE AND PARKING GARAGE**

The project consisted of the site construction and general building construction of a new 1 story pre-engineered metal frame 6,067 SF administrative building with hardie board exterior and a pre-engineered metal frame 3,000 SF garage facility with metal exterior to be located on the corner of SC Highway 81 and Roy Arnold Road, 6636 Highway 81 South, Starr, SC 29684.

## **SIX MILE RURAL COMMUNITY WATER DISTRICT**

### **The Daniel Project – Division I and Division II**

Installation of a 1.00 MG elevated water storage tank, including site work and yard piping. This project also includes approximately 1,700 LF of 12", 10,200 LF of 10", 2,700 LF of 8", 600 LF of 6" water line, sixteen (16) fire hydrants and related appurtenances.

## **SANDY SPRINGS WATER DISTRICT**

### **2010 R.D. C.I.P. Project – Division I & II**

Installation of a 1.25 MG elevated storage tank, approximately 43,340 LF of 6-inch, 8-inch, 10-inch, and 12-inch diameter water mains, twenty three (23) fire hydrants and all related appurtenances in order to replace older problematic water mains in the Sandy Springs Water District.

## **STARR-IVA WATER DISTRICT**

### **2009 RD PROJECT - DIVISION A**

Installation of approximately 12,800 LF 12" ductile iron pipe, 55,700 LF 8" ductile iron pipe, and 28,800 LF 6" ductile iron pipe and all necessary appurtenances located throughout the Starr-Iva Water District system.

**2009 RD PROJECT – DIVISION B**

Installation of approximately 6,300 LF 10" ductile iron pipe, 66,600 LF 8" ductile iron pipe, and 23,300 LF 6" ductile iron pipe and all necessary appurtenances located throughout the Starr-Iva Water District system.

**STARR-IVA WATER DISTRICT**

**2008 RD PROJECT - DIVISION I, DIVISION II, DIVISION III & DIVISION IV**

Construction of 0.75 Million gallon elevated storage tank including site work and yard piping. Construction of eleven water distribution mains, totaling approximately 5,200 LF 16" pipe, 46,200 LF 10" pipe, 77,000 LF 8" pipe located throughout the Starr-Iva Water District system. See next page for detailed scope of work.

**SOUTHSIDE RURAL COMMUNITY WATER DISTRICT**

**2008 CAPITAL IMPROVEMENT PLAN DIVISION I & DIVISION II**

Construction of 1.0 Million gallon elevated storage tank. Construction of four water distribution mains, totaling approximately 4,000 LF 10" pipe, 29,200 LF 8" pipe, and 8,200 LF 6" pipe and related appurtenances on West Church Road, East Church Road, Church Road, Fire Station Road, Cassell Road, and Stewart Road in Anderson and Pickens Counties, S.C.

**POWDERSVILLE WATER DISTRICT**

**12" WATER MAIN EXTENSION - SHACKLEBURG LOOP**

Installation of 15,770 LF of 12" water main, 7,782 LF of 10" water main, 640 LF of 8" water main, 1,310 LF of 6" water main, (10) ten fire hydrants and related appurtenances in order to loop and enhance the southern pressure zone, and allow for proper elevated tank cycling.

**BROADWAY WATER & SEWERAGE DISTRICT**

**2012 RD Project – Division 1 & Division 2**

Installation of approximately 15,120 LF of 12" 38,100 LF 10", 20,260 LF 8", 2,870 LF 6" water mains, (48) forty-eight fire hydrants, a Triplex Booster Pumping Station, a rehab of an existing consecutive system master metering station, a SCADA system and related appurtenances; located throughout the Broadway Water & Sewerage District system.

**LAURENS COUNTY WATER AND SEWER COMMISSION**

**Sand Creek Force Main Extension**

Installation of approximately 5,675 LF of 10" force main. UTC Funding – March 2014 – June 2014

**CITY OF WESTMINSTER**

**Entire City Sanitary Sewer System Analysis – 2013 and ongoing**

**TOWN OF CENTRAL**

**James Circle 6" Main**

Installation of approximately 1,085 LF 6" water main, one fire hydrant and related appurtenances to replace old 6" and 1 ½" lines and provide flow for fire protection. CDBG Funding – December 2013

**CITY OF PICKENS**

**Village Renaissance Project – Sidewalk Improvements**

Installation of approximately 1,358 LF new sidewalks, 113 LF removal and replacement of sidewalk sections, 820 LF curb and gutter, ADA ramps, driveway ramps and related construction. CDBG Funding – November 2013

**CLEMSON UNIVERSITY**

**S. Ravenal Recreation Project (Y Beach) – Sewer Feasability Study**

Sewer Feasability Study to include treatment alternatives, routing alternatives across Lake Hartwell (Corp of Engineers), and cost analysis with phasing recommendations. June 2013 – October 2013

**CITY OF PICKENS**

**S.C. 8 / 183 Sanitary Sewer Relocation due to SCDOT Roadway Realignment**

Installation of approximately 120 LF 8” gravity sewer and 1 manhole. May 2013

**BROADWAY WATER & SEWERAGE DISTRICT**

**2013-Capital Improvements – Infrastructure Enhancement**

Installation of approximately 4,840 LF of 8”, 3,785 LF of 6”, 4,060 LF 4” and 830 LF of 3” water lines; (3) three fire hydrants, (3) three post type hydrants and related appurtenances to strengthen existing system and provide flow for fire protection.

**CITY OF PICKENS**

**Village Renaissance Sanitary Sewer Improvements**

Installation of 3,500 LF 8” gravity sewer and 27 manholes. CDBG Funding – May 2013 – December 2013

**CITY OF PICKENS**

**Sanitary Sewer System Analysis**

GPS, analysis and mapping of approximately 784 manholes, 39 miles of gravity mains, 8,000 LF force mains, and six lift stations. January 2013 – April 2013

**CITY OF WESTMINSTER**

**US 76 / Oconee Implement 8” Sewer Replacement Main**

Installation of approximately 355 LF of 8” gravity sewer and 3 manholes. January 2013 – February 2013

**CITY OF PICKENS**

**S.C. Hwy 8 / 8” Sewer Collector Main**

Installation of approximately 1,604 LF of 8” gravity sewer main and 8 manholes. January 2012 – May 2012

**CITY OF LIBERTY**

**Woodside Circle / Crane Street 8” Sanitary Sewer Rehab**

Installation of approximately 3,200 LF of 8” gravity sewer and 16 manholes. CDBG Funding – December 2012 - Present

**CITY OF LIBERTY**

**Rosewood Street 8" Sanitary Sewer Rehab**

Installation of approximately 700 LF of 8" gravity sewer and 3 manholes. September 2012 – December 2012

**BLUE RIDGE RURAL WATER COMPANY INC.**

**Cliffs Valley North – 2011 GWS Supply Project**

Installation of 3,980 LF of 6" water mains, two (2) fire hydrants, two (2) prestressed ground concrete tanks, three (3) duplex pumping stations, electrical and SCADA controls, 3" master metering station and related appurtenances to modify the existing Cliffs Valley North system to allow for a new G.W.S. source supply.

**CITY OF WESTMINSTER**

**12" D.I. Northern Loop Project**

Installation of approximately 33,500 LF of 12" water main, thirty (30) fire hydrants and all related appurtenances to loop system and provide flow for fire protection. CDBG Funding - February 2011

**LAURENS COUNTY WATER AND SEWER COMMISSION**

**Hwy 76 / Clinton Area Lift Station Rehab Project**

Upgrade of five sewer lift stations, including design of: new piping, submersible pumps and controls, SCADA interface, and Force Main by-passing. SRF Funding - January 2010 – April 2010

**STARR-IVA WATER DISTRICT**

**2010 R.D. Project – OFFICE AND PARKING GARAGE**

The project consisted of the site construction and general building construction of a new 1 story pre-engineered metal frame 6,067 SF administrative building with hardie board exterior and a pre-engineered metal frame 3,000 SF garage facility with metal exterior to be located on the corner of SC Highway 81 and Roy Arnold Road, 6636 Highway 81 South, Starr, SC 29684. USDA Rural Development Funding

**CITY OF LIBERTY**

**Downtown Project- Phase I and Phase II – Rehabilitation of existing downtown water system** consisting of the installation of approximately 21,000 LF 10", 8", and 6" water mains and 20 fire hydrants to replace old system and to supply fire protection to area. Created a "doughnut" water infrastructure loop from east to west and west to east, tank to tank, around the City to save the City the cost of higher priced larger one-way feed mains and provide for further growth for the City of Liberty. CDBG Funding – February 2008

**STARR-IVA WATER DISTRICT**

**2008 RD PROJECT - DIVISION I, DIVISION II, DIVISION III & DIVISION IV**

Construction of 0.75-Million-gallon elevated storage tank including site work and yard piping. Construction of eleven water distribution mains, totaling approximately 5,200 LF 16" pipe, 46,200 LF 10" pipe, 77,000 LF 8" pipe located throughout the Starr-Iva Water District system. USDA Rural Development Funding

## **STORMWATER**

### **SIX MILE RURAL COMMUNITY WATER DISTRICT**

#### **2013 R.D. Project**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the site construction and of a Master Metering Station; a Booster Pumping Station; approximately 3,980 LF 16", 56,000 LF 12", and 10,350 LF 6" water mains; and related appurtenances to improve hydraulic characteristics in the eastern portion of the District's system. USDA Rural Development Funding - February 2016

### **STARR-IVA WATER DISTRICT**

#### **Lowndesville R.D. Project**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the installation of approximately 22,750 LF 10", 6,467 LF 8", 13,653 LF 6" water mains, (38) thirty-eight fire hydrants and related appurtenances to serve Town of Lowndesville and provide flow for fire protection. USDA Rural Development Funding - December 2015

### **BROADWAY WATER & SEWERAGE DISTRICT**

#### **2012 RD Project - Division 1 & Division 2**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the installation of approximately 15,120 LF of 12" 38,100 LF 10", 20,260 LF 8", 2,870 LF 6" water mains, (48) forty-eight fire hydrants, a Triplex Booster Pumping Station, a rehab of an existing consecutive system master metering station, a SCADA system and related appurtenances; located throughout the Broadway Water & Sewerage District system.

### **STARR-IVA WATER DISTRICT**

#### **2010 R.D. Project - OFFICE AND PARKING GARAGE**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the site construction and general building construction of a new 1 story pre-engineered metal frame 6,067 SF administrative building with hardie board exterior and a pre-engineered metal frame 3,000 SF garage facility with metal exterior to be located on the corner of SC Highway 81 and Roy Arnold Road, 6636 Highway 81 South, Starr, SC 29684. USDA Rural Development Funding.

### **STARR-IVA WATER DISTRICT**

#### **2008 RD PROJECT - DIVISION I, DIVISION II, DIVISION III & DIVISION IV**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the construction of 0.75 Million gallon elevated storage tank including site work and yard piping. Construction of eleven water distribution mains, totaling approximately 5,200 LF 16" pipe, 46,200 LF 10" pipe, 77,000 LF 8" pipe located throughout the Starr-Iva Water District system. USDA Rural Development Funding.



**STARR-IVA WATER DISTRICT**

**2009 RD PROJECT - DIVISION A**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the installation of approximately 12,800 LF 12" ductile iron pipe, 55,700 LF 8" ductile iron pipe, and 28,800 LF 6" ductile iron pipe and all necessary appurtenances located throughout the Starr-Iva Water District system.

**2009 RD PROJECT - DIVISION B**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the installation of approximately 6,300 LF 10" ductile iron pipe, 66,600 LF 8" ductile iron pipe, and 23,300 LF 6" ductile iron pipe and all necessary appurtenances located throughout the Starr-Iva Water District system. USDA Rural Development Funding.

**BIG CREEK WATER & SEWERAGE DISTRICT**

**2010 RD Project - Division I & II**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the installation of approximately 44,835 LF of 10", 84,960 LF of 8", 2,425 LF of 6", 350 LF of 3" water mains, seventy (70) fire hydrants and all necessary appurtenances. USDA Rural Development Funding.

**SANDY SPRINGS WATER DISTRICT**

**2010 R.D. C.I.P. Project - Division I & II**

Prepare and permit erosion control, stormwater hydrology report and civil design plans for NPDES stormwater coverage for the installation of a 1.25 MG elevated storage tank, approximately 43,340 LF of 6-inch, 8-inch, 10-inch, and 12-inch diameter water mains, twenty three (23) fire hydrants and all related appurtenances in order to replace older problematic water mains in the Sandy Springs Water District. USDA Rural Development Funding.

**PLUS MANY OTHERS**



## DRINKING WATER

# Federal FY 2020 DWSRF Intended Use Plan For State FY 2021

FINAL

September 8, 2020

SCDHEC  
Bureau of Water  
2600 Bull Street  
Columbia, SC 29201  
[www.scdhec.gov/srf](http://www.scdhec.gov/srf)



S.C. Department of Health and  
Environmental Control

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## I. Introduction

The Drinking Water State Revolving Fund (DWSRF) was created by the 1996 amendments to the federal Safe Drinking Water Act (SDWA) to assist public water systems with financing the cost of infrastructure needed to achieve or maintain compliance with the SDWA. Section 1452 of the SDWA authorizes the Administrator of the US Environmental Protection Agency (EPA) to award capitalization grants to states to provide seed money for the purpose of establishing a low-interest loan program (the DWSRF) and other types of assistance to eligible water systems.

This Intended Use Plan (IUP), required under the SDWA, describes how South Carolina proposes to use available SRF funds for State Fiscal Year (SFY) 2021 (July 1, 2020 through June 30, 2021) including federal funds allocated to South Carolina by the Further Consolidated Appropriations Act, 2020, and how those uses support the objectives of the SDWA in the protection of public health. South Carolina's allotment from the federal appropriations for federal fiscal year (FFY) 2020 is \$14,260,000. Eligibility for DWSRF loans and DWSRF program requirements, including any requirements of the applicable appropriations legislation, are also included in the IUP.

The South Carolina Department of Health and Environmental Control (DHEC) has primary enforcement responsibility (i.e., primacy) for carrying out the provisions of the SDWA. DHEC is the designated state agency to apply for and administer the capitalization grant for the DWSRF. The South Carolina Water Quality Revolving Fund Authority (Authority) is responsible for the financial functions of the DWSRF, including its financial policies, and executes loan agreements with project sponsors. The Rural Infrastructure Authority's Office of Local Government (RIA) conducts the staff functions of the Authority.

Once prepared, an IUP must be noticed for a period of at least 30 days to accept comments from the public. Comments on all facets of the DRAFT IUP are accepted. After considering comments received, the IUP is finalized and posted on DHEC's website at [www.scdhec.gov/srf](http://www.scdhec.gov/srf).

## II. Goals

South Carolina has identified several short and long term goals, designed to promote sustainable improvements to the state's drinking water infrastructure and help ensure maximum public health and environmental benefits.

### A. Short Term Goals

1. Update the State Revolving Fund Operating Agreement between EPA and South Carolina.
2. Maintain a subcontract with a qualified vendor to provide technical assistance to small systems.

## **B. Long Term Goals**

1. Promote sustainable system capacity through consolidation of systems thereby taking advantage of the economies of scale to address technical, managerial and financial capacity problems.
2. Assist local communities as they strive to achieve and maintain compliance with federal and state drinking water standards by funding projects that improve drinking water quality and protect public health.
3. Provide technical assistance to small systems to enhance sustainability and to achieve compliance with state and federal drinking water laws and regulations.
4. Support investment in green infrastructure, water and energy efficient improvements and environmentally innovative projects.
5. Maintain a working relationship with other infrastructure funding authorities within the state to coordinate water quality funding.
6. Maintain the fiscal integrity of the DWSRF to ensure the perpetuity of the fund.

## **III. Transfer of Funds From/To the Clean Water State Revolving Fund**

The SC SRF program reserves the ability to transfer funds between the Clean Water (CW) SRF and DWSRF as provided for by federal law. Fund transfers from the CWSRF to the DWSRF or from the DWSRF to the CWSRF will be done to assist in meeting the funding demands in the CWSRF and DWSRF. The law allows the SRFs to transfer an amount equal to 33% of each annual Drinking Water capitalization grant. SC SRF would transfer non-federal funds made available by loan repayments. The EPA will receive written notification prior to any transfers occurring.

For SFY 21, the SC SRF has no plans to transfer funds between the CWSRF and DWSRF, but reserves the right to do so if needed to meet demand in either the Clean Water or Drinking Water program during SFY 21.

## **IV. Provisional Projects List**

The Drinking Water Provisional Project List (PPL) (Appendix A) identifies projects that are considered eligible and ready to proceed in the SFY 2021.

All loan projects on the PPL must complete the process detailed in Section V.C to receive funding.

Final funding decisions for each project are contingent on a satisfactory review of the project sponsor's technical and managerial capacity, a completed environmental review of the proposed project, issuance of a DHEC SRF construction permit (or construction approval letter), and a successful final credit review by RIA for the Authority. The availability of a loan from the Authority will be based on the project sponsor's financial capacity and its ability to afford repayment on the requested amount of debt.

The Provisional Project List includes projects that have been identified to receive principal forgiveness funds. These funds are only available if the FFY 2020 DWSRF Capitalization Grant is awarded by EPA and accepted by DHEC. Project listing is not a commitment of funding.

## **V. Method for Selecting Projects and Distribution of Funds**

### **A. Priority Ranking System**

DHEC has a Priority Ranking System for projects seeking funding from the DWSRF. A copy of the ranking system used to score and rank projects can be found on the SRF Documents and Forms webpage at <http://www.scdhec.gov/srfforms>.

### **B. Comprehensive Priority List of DWSRF Projects**

For a project to be considered for funding from the DWSRF, it must appear on the Comprehensive Priority List of DWSRF Projects. To be included in this list, an eligible project sponsor must complete a project questionnaire (PQ), DHEC 3463, found on the SRF Documents and Forms webpage, <http://www.scdhec.gov/srfforms>. A project sponsor may submit a completed PQ to the SRF section of DHEC's Bureau of Water at any time. Once the PQ is received, DHEC staff evaluate the project based on the DWSRF Priority Ranking System and the project receives a numeric score. The project is then added to the Comprehensive Priority List of DWSRF Projects in rank order. Projects with the same numerical score are ordered based on how the project addresses correcting the risk to public health and compliance with the Safe Drinking Water Act and date received. DHEC maintains an updated Comprehensive Priority List on the SRF Documents and Forms webpage, <http://www.scdhec.gov/srfforms>.

If a project remains on the comprehensive priority list for three years and does not proceed, DHEC staff will contact the sponsor and request that a revised PQ be submitted within 30 days that updates the cost estimate along with any changes to the project description. A revised PQ is scored to determine priority rank and remains on the Comprehensive Priority List. If DHEC does not receive a revised PQ, the project is removed from the Comprehensive Priority List.

### **C. Selection of Projects and SRF Funding**

The selection of projects for the Provisional Project List (Appendix A) is based on project ranking and the sponsor's indicated readiness to proceed with a project during SFY 2021. Ready to proceed in SFY 2021 means that a project will be in compliance with the SRF schedule for submission of an acceptable preliminary engineering report and construction permit application as well as a complete SRF loan application to RIA.

The successful completion of a preliminary financial review should occur before a project sponsor proceeds with meeting the technical requirements for a loan. Based on the schedule established for a project, RIA will send the sponsor a loan application

package. To proceed as an SFY 2021 SRF project, a project must receive a construction permit, or letter of approval to construct, and submit a complete loan application to RIA by July 31, 2021. For large projects, DHEC and RIA reserve the right to impose a limit on the amount of any given DWSRF loan, regardless of ranking, and to consider a sponsor's ability to obtain financing from other sources.

#### **D. Bypass Procedure**

When selecting projects for funding, DHEC may bypass projects on the Comprehensive Priority List as follows:

1. To comply with Section 1452(a)(2) of the SDWA, which requires that at least 15% of DWSRF must be used for assisting small water systems (systems serving <10,000 population).
2. To fund a project where a viable system owner is willing to assume ownership of a non-viable or abandoned system.
3. To address an imminent hazard to public health as determined by DHEC.
4. To fund a project that corrects violations of primary drinking water standards through consolidation or regionalization.
5. To fund projects that support consolidation or regionalization of systems to enhance the sustainability, regulatory compliance and/or quality of service of the systems involved.

#### **E. Expeditious Use of Funds**

In order to promote timely commitment and use of SRF funds, DHEC will set milestones for each project related to the completion of the PER and submission of plans and specifications to obtain a construction permit or letter of approval to construct. For the projects listed in Appendix A, the project sponsor must meet these milestones to ensure funds will not be committed to other projects. DHEC will take into account the complexity of the project and work with project sponsors in setting project milestones.

#### **F. Sustainability Requirement**

The DWSRF may not provide any financial assistance to a system that has failed to maintain a satisfactory level of SDWA compliance as enumerated by EPA's Enforcement Targeting Tool (ETT) unless the State conducts a review and determines that the project will enable the system to return to compliance and the system will maintain an adequate level of technical, managerial and financial capability to maintain compliance. Nor may assistance be provided to any project sponsor that lacks the technical, managerial or financial capability to maintain SDWA compliance, unless the sponsor agrees to undertake feasible and appropriate changes in operation or if the use of the financial assistance from the DWSRF will promote sustainability and compliance over the long-term (Section 1452(a)(3)(B)(i) of the SDWA).

Sponsor sustainability is evaluated using DHEC's Utility Sustainability Assessment (UtSA) (DHEC form 0574). The UtSA is a written system assessment completed by the Sponsor



and reviewed and scored by DHEC that includes operational issues, managerial issues and limited financial information. Unless an acceptable score was received on a UtSA within the previous three years, a UtSA is requested of sponsors with projects on the Provisional Projects List. Additional financial assessment is performed by RIA as part of the preliminary financial review and loan application process.

## **G. Growth**

The DWSRF cannot provide assistance to finance the expansion of any drinking water system solely in anticipation of future population growth (Section 1452(g)(3)(C) of the SDWA). In determining whether or not a project is eligible for assistance, DHEC will determine the primary purpose of the project. If the primary purpose is to accommodate or attract growth, the project is not eligible to receive DWSRF funds. If the primary purpose is to solve a compliance or public health problem, the entire project, including the portion necessary to accommodate a reasonable amount of growth over its useful life, is eligible.

## **H. Interest Rates and Funding Terms for Eligible Projects**

Visit the RIA website, <http://www.ria.sc.gov/> to view current SRF loan rates and policies. Interest rates for SFY 2021 are expected to be published by RIA in early October 2020.

Up to 30-year financing is available for all borrowers not to exceed the useful life of the project components. For example, pipe and items constructed of concrete or steel qualify for a 30-year term, while mechanical and electrical components are limited to 20 years. Blended amortizations will be provided for loans with differing terms.

For any project requesting funds for both 20- and 30-year eligibilities, the engineer will provide in the PER an estimated cost breakout in sufficient detail for DHEC to determine items that qualify for 20- or 30-year financing based on useful life. This information will be used for the conditional loan commitment letter; however, the 20- and 30-year eligibilities used for loan closing must be based on contractor prices.

Loans for projects with both 20- and 30-year requested construction cost items will have the 20/30 year cost breakdowns for the loan agreement determined once the bidding process is complete. If the successful contractor's bid is in sufficient detail for DHEC to determine the useful life of the components, no further breakout will be needed for loan closing. However, when the successful contractor's bid is not in sufficient detail to make the 20/30 year determinations, such as in a lump sum bid, the successful contractor, after the tentative award notice but before loan closing, must provide a breakout of the bid in sufficient detail for DHEC to make the necessary determinations of 20- and 30-year eligibility. So as to not delay loan closing and, in most cases execution of the construction contract, the selected contractor needs to develop and submit the detailed breakout to DHEC at the earliest possible time.

## **I. Loan Application**

Sponsors of Provisional Projects who successfully complete RIA's preliminary financial review may apply to the Authority through RIA for SRF loan financing by submitting a loan application approximately 30 days prior to submitting plans and specifications as required for a DHEC/SRF construction permit or letter of approval. Authorization to construct the project, either through an SRF-issued Permit to Construct or Letter of Approval, both of which require a completed environmental review, is required before an SRF loan application is considered complete.

Loan applications are accepted from October 1 through July 31.

# **VI. Eligibilities**

## **A. Eligible Sponsors**

Municipalities, counties, special purpose districts, and other public entities are eligible SRF project sponsors.

## **B. Compliance and Public Health**

According to Section 1452(a)(2) of the SDWA, the DWSRF may only provide assistance for expenditures (not including monitoring, operation and maintenance expenditures) of a type or category which will facilitate compliance with national primary drinking water regulations applicable to the system under section 1412 of the Act or otherwise significantly further the health protection objectives of the Act.

Projects to address SDWA health standards that have been exceeded or to prevent future violations of the rules are eligible for funding. This includes projects to maintain compliance with existing regulations for contaminants with acute health effects (i.e., the Surface Water Treatment Rule, the Total Coliform Rule, and nitrate standard) and regulations for contaminants with chronic health effects (i.e., Lead and Copper Rule, Phases I, II, and V rules, total trihalomethanes, etc.).

Projects to replace aging infrastructure are eligible if they are needed to maintain compliance or further the public health protection goals of the SDWA. Examples include projects to:

1. Rehabilitate or develop sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources;
2. Install or upgrade treatment facilities if the project would improve the quality of drinking water to comply with primary or secondary standards;
3. Install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system; and
4. Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or to improve water pressure to safe levels.

Projects to consolidate water supplies—for example, when a public water supply is contaminated, or the system is unable to maintain compliance for financial or managerial reasons—are eligible for DWSRF assistance.

### **C. Land**

Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection. In this instance, land that is “integral to a project” is only the land where eligible treatment or distribution projects will be located. The purchase price of all land, rights-of-ways, and easements, not to exceed the appraised value, may be included in the loan when: 1) the land is obtained less than one year prior to the date of a complete loan application, 2) an appraisal, prepared by a qualified appraiser, is submitted on each parcel, right-of-way and easement with the loan application, and 3) the land is acquired from a willing seller. For land with structures or other improvements, only the appraised value of the land is DWSRF loan eligible, not the appraised value of the land with the structures or improvements.

### **D. Planning and Design Costs**

A DWSRF loan may include the costs of project planning and services incurred prior to construction (e.g., costs associated with preparing the PER, plans and specifications, advertising, pre-bid conference, bidding procedures, pre-construction conference, loan application, or administration). Only those costs for which there is clear documentation of expenses incurred solely for the proposed project and are dated no earlier than 36 months prior to the date of a complete loan application to RIA are eligible for funding under the DWSRF program.

### **E. Legal and Appraisal Fees**

In general, legal and appraisal costs associated with obtaining land (rights-of-way and easements) and attorney fees associated with the SRF loan application and loan closing process are eligible. Please note that only the legal and appraisal costs associated with obtaining land from a willing seller are eligible for funding under the DWSRF program if incurred no earlier than one year prior to the date of a complete loan application to RIA.

### **F. Construction Costs**

Construction costs include the costs associated with the construction of the project by a contractor. The DWSRF may provide assistance for the costs associated with engineering services during construction, such as inspections, change orders, overview of contractors, shop drawings, record drawings, concrete or soil testing, Davis-Bacon and American Iron and Steel administration, and draw requests.

Equipment that is directly purchased by the sponsor for the project, such as pumps, generators, etc., is eligible.

Materials such as pipe, valves, brick, mortar, etc., that are directly purchased by the sponsor are eligible. The materials may be installed either by a contractor or by the sponsor using its own employees and equipment. Eligibility is limited to the costs of

materials. The costs of supplies such as fuel, oil and tools used by the sponsor to install the materials are not eligible for funding under the DWSRF program. Additionally, force account labor is not eligible.

Service connections are eligible for funding from the SRF but only that portion of a service connection that will be owned and maintained by the project sponsor and installed as part of an SRF funded waterline project.

### **G. Contingency**

- The SRF program allows a contingency on eligible construction cost as follows: ten percent (10%) of the construction line item for the first \$10 million dollars of construction cost and five percent (5%) for the construction amount that exceeds \$10 million.
- The SRF program allows a contingency of two and a half percent (2.5%) for materials that are directly purchased by the sponsor.
- There is no contingency allowed on equipment.

### **H. Phasing of a Drinking Water Project**

To make construction and/or funding more manageable, a project may be divided into separately funded phases or segments at the option of the sponsor. However, to be DWSRF-eligible, any such phase or segment must be of reasonable size and scope; must feasibly address a water quality, public health or compliance deficiency; and, when constructed must have the capability of being placed into immediate full operation, without its full operation being dependent on a subsequent project phase, segment or other outside operation yet to be completed. After a given project phase is funded, subsequent phases must stand separately in competing with other projects for priority list ranking in later fiscal years.

### **I. Projects and Activities Not Eligible for Funding**

The DWSRF will not provide funding assistance for the following projects and activities:

1. Dams, or rehabilitation of dams;
2. Reservoirs, except for finished water reservoirs and those reservoirs that are part of the treatment process and are located on the property where the treatment facility is located;
3. The purchase of water rights;
4. Laboratory fees for monitoring;
5. Operation and maintenance expenses;
6. Projects needed mainly for fire protection;
7. Projects for systems that lack adequate technical, managerial and financial capability, unless assistance will ensure compliance;
8. Projects for systems in significant noncompliance, unless funding will ensure compliance;

9. Projects primarily intended to serve future growth;
10. Refinancing of existing debt;
11. Projects for systems when consolidation or regionalization is the most feasible alternative for a system to maintain sustainability, unless the project addresses or supports consolidation or regionalization.

## VII. Funds Available

### A. Amount of Capitalization Grant

South Carolina's allotment from the FFY 2020 federal appropriation is \$14,260,000.

### B. State Match Requirement

One condition of receiving the annual allotment is the State must deposit to the DWSRF an amount equal to at least 20% of the total capitalization grant. Based on the \$14,260,000 DWSRF allotment, RIA will deposit \$2,852,000 in the DWSRF to comply with state match requirements.

### C. Set-Aside for Administration of the DWSRF Program

The SDWA allows states to use four percent (4%) of each capitalization grant to fund the administration of the State's DWSRF program and other non-project activities. For SFY 2021, the State will take 3.3% of the FFY 2020 capitalization grant, or \$477,477 for administration of the DWSRF program.

### D. Set-Aside for Technical Assistance for Small Systems

The SDWA allows states to set aside up to two percent (2%) of each capitalization grant to fund technical assistance (TA) services to small water systems that serve fewer than 10,000 people. For FFY 2020, 1.1% or \$150,000 of the grant will be used for TA.

DHEC's TA funds (\$150,000) will be used to fund a contract with the South Carolina Rural Water Association to help small public water systems address technical, managerial and financial capacity. Priority for contracted TA is given to those entities that have requested financial assistance from the loan fund but currently lack the technical, managerial and/or financial capacity to ensure long-term sustainability.

### E. Set-Aside for Local Assistance and Other State Programs

The SDWA allows states to set aside up to 15% of each capitalization grant to fund various state drinking water protection initiatives. No more than 10% of its annual DWSRF grant can fund any one initiative. This year, DHEC will take \$1,649,522 or approximately 11.6% of the grant to fund the source water protection program and the well-head protection program.

DHEC will take \$765,480 or approximately 5.4% of this year's grant for use on source water protection activities. Source water protection funds in the amount of \$250,000

will be used for contractual services for developing watershed-based plans and modeling and monitoring for nutrient TMDL development.

The well-head protection program will be funded at approximately 6.2% of the grant or \$884,042 for use on well-head protection activities.

### F. Set-Aside for Assistance to State's Programs

The SDWA allows states to set aside up to 10% of each capitalization grant to assist with funding of State Drinking Water Programs.

DHEC will take approximately 8.8% or \$1,256,082 of the FY2020 capitalization grant for public water system supervision (PWSS) program activities. PWSS funds help fund the State's drinking water program activities which are necessary to help ensure that public water systems are constructed, monitored, operated and maintained in accordance with federal and state laws and regulations.

### G. Estimated Funds Available - State Fiscal Year (SFY) 2021

Estimated Amount of Funds to be available as of 6/30/20	\$47,810,612
FFY 2020 federal capitalization grant	\$14,260,000
State match for FFY 2020 capitalization grant	\$2,852,000
Estimated SFY 2021 repayments (7/1/20 to 6/30/21)	\$16,000,000
Estimated SFY 2021 investment earnings (7/1/20 to 6/30/21)	\$1,080,000
Estimated amount of funds to be transferred to/from the CWSRF	\$0
Value of set-asides from FFY 2020 DWSRF capitalization grant	(\$3,533,081)
<b>Estimated Total Funds Available for SFY 2021 Loans</b>	<b>\$78,469,531</b>

The estimated total funds for SFY 2021 loans may change from the figure quoted above due to the ongoing administration of projects, including SFY 2020 projects where bids have not been opened. It should be noted that the estimated total costs for projects identified for SFY 2021 DWSRF funds as shown in Appendix A is less than the estimated total funds available as shown in the table above. Additional projects may be identified during SFY 2021 and will be reported in the 2021 DWSRF Annual Report and indicated on a subsequent DW Intended Use Plan.

### H. Anticipated Cash Draw Ratio

Since the advent of requiring additional subsidy in FY 2010 - accomplished in SC through principal forgiveness - and its attachment to specific capitalization grants, all state match is deposited in the DW fund and fully expended before then drawing federal money at 100%.

### I. Fee Income

A loan closing fee is charged to loan recipients to support RIA's operating costs. This fee is not eligible for inclusion in the loan.

The DWSRF SFY 2021 closing fee is expected to be published in early October 2020 on the RIA website, <http://www.ria.sc.gov/>.

## VIII. Assurances and Specific Proposals

DHEC has provided assurances and specific proposals as part of the Operating Agreement between South Carolina and EPA. The Operating Agreement provides a framework of procedures for operation and administration of the DWSRF including:

1. **Environmental Reviews:** The State will conduct environmental reviews according to the procedures identified in its Operating Agreement.
2. **Binding Commitments:** The State will enter into binding commitments for 120% of the amount of each payment received under the capitalization grant within one year of receipt of payment.
3. **Expeditious and Timely Expenditures:** The State will expend all funds in the DWSRF in an expeditious and timely manner.

## IX. Additional Information / Requirements

### A. Federal Requirements

Sponsors will be notified of all applicable federal requirements once their project is identified as a candidate for funding. Several federal requirements are required of all SRF loan recipients as follows:

- Environmental review of the project
- Compliance with Civil Rights Laws
- Davis-Bacon prevailing wage rates
- American Iron and Steel

Additional federal requirements are tied to the capitalization grant, and will be required of any project receiving a loan designated as being made with federal capitalization funds. These requirements include but are not limited to:

- Disadvantaged Business Enterprise compliance (DBE)
- Equal Employment Opportunity
- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: Title 2 CFR, Parts 200 and 1500 ("Uniform Guidance" – governs single audit requirements)
- Signage

The projects that meet these federal requirements will be identified in the DWSRF Annual Report.

### B. Additional Subsidies

There are two additive additional subsidy authorities in effect for the FFY 2020 CW capitalization grant. The Further Consolidated Appropriations Act, 2020, requires the SRF program to provide 14% of the capitalization grant amount as additional subsidy for eligible recipients. The SDWA, as amended by America's Water Infrastructure Act, 2018, mandates that states use at least 6% of the capitalization grant for additional

subsidy for *state-defined disadvantaged communities*<sup>1</sup>. Based on these two authorities, DHEC will make available no less than 20% of the FFY 2020 capitalization grant for additional subsidy.

EPA expects the SRF program to ensure that systems and project sponsors who receive additional subsidy have the technical, managerial and financial capacity to maintain compliance with federal and state regulations. The Utility Sustainability Assessment mentioned in section V.F above is one tool used by the SRF to evaluate the technical, managerial and financial capacity of a potential SRF additional subsidy recipient. Systems that do not have adequate technical, managerial and financial capacity may receive additional subsidy funds if the system/sponsor agrees to undertake needed changes in operation that will promote sustainability. The sponsor may not be eligible for additional subsidies on future projects until the agreed upon operational changes have been fully implemented. Also, systems who ask to be considered for principal forgiveness funds should not be delinquent on submission of annual financial audits to the State Treasurer's Office as required by SC state law.

The SRF Program plans to utilize additional subsidy funds, provided as principal forgiveness (PF), for projects that are ready to proceed, to encourage the following priorities:

- Correct water quality violations of primary drinking water standards and potential health concerns, preferably through consolidation or regionalization;
- Enable a viable system owner willing to assume ownership of a non-viable or abandoned system;
- Assist small system (population less than 10,000) with achieving compliance with state regulations; and
- Enhance the sustainability of small systems by fixing existing infrastructure.

Eligible sponsors with eligible projects that may receive PF assistance are as follows:

- Small systems (population less than 10,000) with a Median Household Income (MHI) less than the State MHI that cannot qualify for a DWSRF loan, or;
- A sustainable system owner willing to assume ownership of an unsustainable or abandoned system.

To make maximum benefit of PF funds for SFY 2021, no one sponsor may receive more than \$1,000,000 of this subsidy unless PF funds remain unassigned or are not committed to an identified project as expected.

Appendix A indicates the amount of PF that has been assigned to projects for SFY 2021 on a preliminary basis. The SRF Program reserves the right to adjust PF amounts. PF funds are only available if EPA awards the FFY 2020 DWSRF Capitalization Grant and it is accepted by DHEC. Project listing is not a commitment of funding.

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<sup>1</sup> For SC DWSRF a Disadvantaged Community System is defined as a small system (population less than 10,000) with an MHI less than the State MHI that cannot qualify for an SRF loan.



### **C. Green Project Reserve (GPR)**

The Further Consolidated Appropriations Act, 2020 encourages, but does not require, State Drinking Water SRFs to use funds made available by the Act to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. South Carolina plans to identify and fund projects or portions of projects that qualify as “green” under the published EPA Guidance for DWSRF Green Project Reserve. Any project or project portion wanting to be considered for the GPR must submit documentation outlining the benefits of the green components of the project. DWSRF GPR Guidance is posted to the SRF Guidance webpage <http://www.scdhec.gov/srfguidance>.

At the time this IUP was drafted, no projects had been identified as qualifying for the GPR.

### **D. “American Iron and Steel” Requirement**

America's Water Infrastructure Act of 2018 and the Further Consolidated Appropriations Act, 2020 require that all iron and steel products used in SRF projects be produced in the United States unless a waiver is granted by the EPA. More information about the State Revolving Fund American Iron and Steel (AIS) requirement can be found on the EPA website at [http://water.epa.gov/grants\\_funding/aisrequirement.cfm](http://water.epa.gov/grants_funding/aisrequirement.cfm).

### **E. Environmental Outcomes and Measures**

DHEC will update EPA's Drinking Water Benefits Reporting database, a web-based project tracking system used to gather information to assess the environmental outcomes and measures for meeting the objectives of the DWSRF program. Program data are entered into the DWSRF National Information Management System (NIMS) to produce annual reports that provide a record of progress and accountability for the program. EPA uses the information provided to develop reports to the US Congress concerning activities funded by the DWSRF program.

### **F. Public Participation**

Notice of the draft IUP is e-mailed to each project sponsor on the Comprehensive Priority List of DWSRF Projects and other interested parties.

During the public notice period (30-day minimum), the Draft IUP notice and DRAFT FFY 2020 DWSRF IUP are posted on the DHEC Website, <http://www.scdhec.gov/srf>. Interested parties are invited to review the documents and submit written comments by the deadline established in the Draft IUP notice.

The Draft FFY 2020 DWIUP was posted to the DHEC website on July 31, 2020. Notice of the Draft IUP was emailed to SRF contacts, Rural Infrastructure Authority contacts, DHEC watershed stakeholders and included in communications to members of SC Rural Water Association and the Municipal Association of South Carolina. Comments were accepted until 5:00 PM on August 31, 2020. No comments were received.

SOUTH CAROLINA  
DWSRF SFY 2021 Provisional Project List\*

	Sponsor and Project Name	SRF Project Number	Project Description	Estimated Total Project Cost	Estimated SRF Loan Amount	Estimated Principal Forgiveness Assistance <sup>†</sup>	Sponsor's Service Population	Population Affected by Project	Total Points
<b>SFY 2021 Projects</b>									
1	Saluda (Town of) Commission of Public Works TTHM Reduction	4110001-01	Installation of aeration units at two elevated tanks, piping modifications, and a booster pump station to reduce Total Trihalomethanes (TTHMs) in the Town's drinking water.	\$768,720	-	\$768,720	3,625	3,625	100
2	Draytonville Water Works Disinfection Byproduct (TTHM) Control 2020	1120003-01	Evaluation of the Draytonville system to identify and prioritize treatment methods to be constructed to reduce the formation of TTHMs within the system to address a DHEC Consent Order.	\$474,030	-	\$66,530	1,904	971	100
3	Blacksburg, Town of Disinfection Byproduct (TTHM) Control 2020	1110002-01	Evaluation of the Town's water system to identify and prioritize treatment methods to be constructed to reduce the formation of TTHMs within the system to address a DHEC Consent Order.	\$566,530	-	\$65,930	3,820	956	100
4	Salem, Town of Fall Creek Service Water Pump Station	3710001-02	Construct a new pump station and install control telemetry, an emergency backup generator, and ~3000 feet of small diameter water main to connect to another water provider and decrease the runtime of existing pumps.	\$270,000	-	\$216,000	2,353	1,100	45
5	Abbeville, City of McGowan Water Line Replacement	0110001-04	Replacement of ~ 4,000 linear feet of old and deteriorating cast iron water line with PVC pipe.	\$775,000	-	\$575,000	5,362	500	30
6	Elioree, Town of * 2020 Water Improvements	3810003-02	Replace ~2,500 LF of aging asbestos cement water mains.	\$287,001	-	\$287,001	1,450	1,450	30
7	Bethune Rural Water Company Rehabilitation of Two Elevated Storage Tanks	2820006-04	Rehabilitate two elevated water storage tanks - the Highway 111 Tank and the Buffalo Tank - to maintain compliance with DHEC regulations.	\$561,600	-	\$561,600	2,600	2,600	30
8	Norway, Town of * Water System Infrastructure Sustainability Plan	3810008-01	Multi-faceted evaluation of the Town's water system that will result in a hydraulic model to identify low pressure zones and underperforming areas within the system's aging infrastructure.	\$465,000	-	\$465,000	775	775	30
9	Hartsville, City of Smith Street Well	1610003-02	Install a well on the high pressure side of the city's water system to reduce the strain on aging infrastructure in the low pressure side of the system and maintain adequate pressures on both sides of the system.	\$1,497,000	\$1,000,000	\$0	8,575	8,575	30

SOUTH CAROLINA  
DWSRF SFY 2021 Provisional Project List\*

	Sponsor and Project Name	SRF Project Number	Project Description	Estimated Total Project Cost	Estimated SRF Loan Amount	Estimated Principal Forgiveness Assistance†	Sponsor's Service Population	Population Affected by Project	Total Points
10	Powdersville Water District Three Bridges Rd. 20" Transmission Main	0420002-07	Install 11,100 linear feet of 20-inch water main to improve flow patterns through a distribution system that crosses four pressure zones with different hydraulic gradients.	\$2,778,400	\$2,776,400	\$0	35,000	35,000	10
11	Grand Strand WSA International Drive 36-in Transmission Main	2620004-27	Install approximately nine miles of 36-in transmission main and appurtenances to increase reliability and redundancy in the water supply to the northern end of the Bull Creek Water System.	\$20,700,000	\$20,700,000	\$0	309,000	309,000	10
Totals				\$29,141,281	\$24,476,400	\$3,006,781			
<b>SFY 2021 Total of SRF Loan + Principal Forgiveness Loan Amount</b>					<b>\$27,482,181</b>				
<b>SFY 2020 Projects ‡</b>									
1	Bennettsville, City of Emergency Generators	3410001-03	Installation of permanent emergency generators for the City's three well sites. This would allow the groundwater wells to provide drinking water to the entire system if the surface water treatment plant were to go offline.	\$230,000	-	\$230,000	9,100	9,100	85
2	Hilda, Town of Old Jack Road Well	0610004-02	Engineering services for installation of a new 230 GPM well to replace the Town's second well taken out of service due to a critical failure of well infrastructure.	\$395,507	-	\$39,000	311	311	30
3	Manning, City of 2020 Well Improvements	1410002-02	Engineering services for well improvements to include lowering piping and pumps in two wells to protect pump operations threatened by lower ground water levels due to climate change and regional usage.	\$160,000	-	\$27,922	6,873	6,873	15
<b>Additional SFY2020 (FFY19) Principal Forgiveness Loan Amount</b>					<b>\$296,922</b>				

\* Projects on the Provisional Project List are ranked based on priority for funding. However a loan offer is dependent on the financial capacity of the sponsor, which may not have been evaluated to date.

† Principal forgiveness funds are subject to change and are only available if the DWSRF Capitalization Grant referenced in this IUP is awarded by EPA & accepted by DHEC. Project listing is not a commitment of funding.

‡ These "SFY 2020 Projects" projects, not previously identified in an Intended Use Plan, have been selected as eligible to receive principal forgiveness (PF) funds and have been assigned PF funds that remain uncommitted against the FFY2019 capitalization grant.

# Denotes a project with a sponsor that is not current on their state-required municipal audits at the time of publication of this IUP, and therefore, the sponsor is not eligible to sign an SCSRF Loan Assistance Agreement for a principal forgiveness (PF) loan. However, if the Sponsor can be up-to-date on their state-required audits by April 1, 2021, they may proceed to fulfill the requirements necessary to receive an SCSRF PF loan. If they remain delinquent on their audits after April 1, 2021, the PF funds provisionally assigned to the project can be assigned to another project and sponsor that is eligible for funds.

## TOWN OF SALEM, SC

### WATER INFRASTRUCTURE SYSTEM IMPROVEMENTS

### PROPOSED SHALLOW FORD ROAD PUMPING STATION

#### BRIEF PRELIMINARY ENGINEERING REPORT

**General Information:** The Town of Salem is located in the northeastern part of Oconee County. It is considered “rural” being located at the foothills of the Blue Ridge Mountains with a population around 150 (Town of Salem proper). The Town of Salem supplies potable water to approximately 2,700 residential customers within an area significantly larger than just the Town itself. See Map A.

**Proposed Project:** The proposed project consists of booster pumping station, emergency generator and related system infrastructure connections to provide more reliable source water to the north eastern section of Salem’s water system, which is currently being supplied with unreliable groundwater wells.

**Need for Project:** The existing north eastern portion of Salem’s water system supplies potable source water via three existing groundwater wells to 700 residents. The remaining water system is provided source water via a master metering connection to the City of Seneca. See Map B, showing the Target Service Area of 700 residents and the location of the master metering station, the primary potable water source for the system.

Regarding the 700-customer target area, during high usage demands, there are many days when the three groundwater wells have run times greater than 16 hours per day. These groundwater well pump times are in violation of SC DHEC Primary Drinking Water Regulation R.61-58.2 (B) (1) (b), which states: “The total developed groundwater source capacity shall equal or exceed

the design maximum day demand without pumping more than 16 hours a day". SC DHEC has recommended that Salem water system develop a secondary source connection to the Seneca source water supply to alleviate the long groundwater well pump times. See Exhibit A which presents a SC DHEC letter recommending the above-mentioned water source solution. Exhibit B presents groundwater pump run time data.

**Project Description:** The proposed project consists of the construction of a duplex pumping station including an emergency generator. Further construction includes two 3" by-pass water mains necessary to provide higher elevations with drinking water sources from a higher hydraulic plane (higher storage tank in elevation) than the new lower hydraulic plane that will become established with the new system hydraulics tied to the new pumping station. See Map B and the blow-up excerpt on Map C, showing these conceptual plans and locations. Overall, these system improvements will provide new auxiliary source water to the 700 resident target area currently being served via unreliable groundwater. The total opinion of cost for the project, including an itemized breakdown at the individual components, is presented on the next page.

As required by SC DHEC, the new pumping station, generator, and high pressure by-pass water mains will provide sanitary protection of water quality, efficient hydraulics to the system, and protection against interruption of service by fire, flood, or other hazard; and, continue to provide safe dependable drinking water to the 700 residences currently exclusively on a groundwater system.

## TOWN OF SALEM WATER SYSTEM

## PROPOSED SHALLOW FORD ROAD DUPLEX PUMPING AND RELATED SYSTEM CONNECTIONS

## "PRELIMINARY OPINION OF COST"

ITEM NO:	DESCRIPTION	EST QTY.	UNIT	UNIT PRICE IN PLACE	AMOUNT
1.	EQUIPMENT MOBILIZATION		LS		\$ 8,000.00
2.	TESTING, STERILIZING, & SAMPLING		LS		6,000.00
3.	10" X 8" MAIN CONNECTION (PUMP STATION)	2	EA @	4,500.00	9,000.00
4.	6" X 3" MAIN CONNECTION (HWY 11)	2	EA @	2,500.00	5,000.00
5.	3" X 2" JUMPER CONNECTION (PARKWAY NORTH)	1	EA @	1,500.00	1,500.00
6.	BORE/JACK 8" STEEL CASING/3" D.I. CARRIER	80	LF @	250.00	20,000.00
7.	8" DIP / FITTINGS / MMTAPE / WIRE	260	LF @	70.00	18,200.00
8.	3" PVC(P) / FITTINGS / MMTAPE / WIRE	3,200	LF @	25.00	80,000.00
9.	10" M.J. GATE VALVE / BOX / RING	1	EA @	2,300.00	2,300.00
10.	8" M.J. GATE VALVE / BOX / RING	2	EA @	1,500.00	3,000.00
11.	6" M.J. GATE VALVE / BOX / RING	1	EA @	1,200.00	1,200.00
12.	3" M.J. GATE VALVE / BOX / RING	3	EA @	800.00	2,400.00
13.	THREE-WAY FIRE HYDRANT	1	EA @	4,200.00	4,200.00
14.	2" BLOW OFF ASSEMBLY	2	EA @	1,500.00	3,000.00
15.	BORE DRIVEWAYS	60	LF @	60.00	3,600.00
16.	TRENCH ROCK EXCAVATION / SUITABLE BACKFILL	120	CY @	110.00	13,200.00
17.	PUMPS-VERTICAL SHAFT	2	EA @	28,000.00	56,000.00
18.	VFD DRIVERS		LS		38,000.00
19.	ELECTRICAL / CONTROLS		LS		18,000.00
20.	POWER CONNECTIONS / WIRING		LS		12,000.00
21.	PUMP HOUSE BUILDING		LS		80,000.00
22.	SITE WORK-GRADING		LS		18,000.00
23.	FENCING		LS		3,500.00
24.	EROSION CONTROL BMPs		LS		8,500.00
25.	SECURITY / SAFETY SIGNAGE		LS		600.00
26.	SCADA CONTROLS		LS		18,000.00
27.	EMERGENCY GENERATOR / CONNECTIONS		LS		80,000.00
Construction					\$ 511,200.00
Contingency					51,120.00
Total Construction & Contingency					\$ 562,320.00
Engineering, Coordination and Inspection					67,478.40
SCDHEC Permitting					900.00
Performance & Payment Bond					10,224.00
TOTAL					\$ 640,922.40

NOTE: Cost plus 15% of any extra work incurred will be added to this estimate due to any abnormal laying conditions encountered (rock excavation, other latent soil conditions, subsurface structures, etc.).



# Boards & Commissions

Boards & Commissions	State / OC Code Reference	Reps [DX-At Large-Ex Officio]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	John Elliott	Matthew Durham	Paul Cain	Julian Davis	Glenn Hart				
							2019-2022	2021-2024	2019-2022	2021-2024	2021-2024	2019-2022	2021-24	2019-2022	
							District I	District II	District III	District IV	District V	At Large	At Large	Ex-Officio	
Aeronautics Commission	2-262	5 - 2	YES	n/a	YES	Jan - March	Randy Renz [3]	Dan Suddeth [1]	Auby Perry [3]	Marion Lyles [2]	Bobby Fendley [1]	Albert Brightwell [2]	David Bryant [1]		
Ag. Advisory Board	2016-17	5 - 2 - 1	YES	n/a	YES	Jan - March	Kim Alexander [1]	Larry Cantrell [1]	Rex Blanton [1]	Ashley Townsend [1]	Charlie Whiten [1]	Debbie Sewell [2]	Tessa Moxley [1]	Kerrie Roach [1]	
Arts & Historical Commission	2-321	5 - 2	YES	2X	YES	Jan - March	Aubrey Miller [1]	<b>VACANT</b>	Thomas Jones [<1]	Melody Davis [1]	Mike Phillips [2]	Daniel Dreher [1]	Suzette Cross [2]		
Board of Zoning Appeals	38-6-1	5 - 2	YES	2X	YES	Jan - March	Jim Codner [2]	Gwen Fowler [2]	Bill Gilster [2]	Marty McKee [3]	<b>VACANT</b>	John Eagar [1]	William Decker [1]		
Building Codes Appeal Board		0-7	YES	2X	YES	Jan - March	Brad Kisker [1]; James McKibben [1]; Kevin Knight [2]; John Sandifer [2]; Joshua Lusk [1]; Osceola Gilbert [1]; <b>VACANT</b>								
Conservation Bank Board	2-381	Appointed by Category Preferred		2X	YES	Jan - March	Laura Havran [1]	Andrew Smith [2]	D. Ryan Keese [1]	<b>VACANT</b>	<b>VACANT</b>	Emily Hitchcock [1]	Charles VanOver [1]		
Destination Oconee Action Committee															
PRT Commission [members up for reappointment due to initial stagger]	6-4-25 2-381	Appointed by Industry		2X	YES	Jan - March	Shane Smith [2]; Shawn Johnson [1]; Kevin Evans [2]			Trey Barnett [1], Riley Johnson [1], Gregory Coutu [1]			Alex Butterbaugh [1]		
Scenic Highway Committee	26-151	0 - 2	YES	2X	YES	Jan - March								Scott Lusk [1]	Stanley Powell [1]
Library Board	4-9-35 / 18-1	0 - 9	YES	2X	YES	Jan - March	Clifton Powell [<1, 1/7/2020]; Diane Smathers [1, 1/19]; Katherine Smith [1, 1/19]			Shelby Henderson [1]; Allison Griffin [2]; Charles Holcombe [1]; Nivia Miranda [1]; Liz Kuemmerer [1]; Monica White [1]					
Planning Commission	6-29-310 32-4	5 - 2	YES	N/A	YES	Jan - March	Mike Smith [1]	David Nix [1]	Alex Vassey [2]	Frankie Pearson [2]	Gary Gaulin [1]	Patrick Williams [1]	Mike Johnson [3]		
Anderson-Oconee Behavioral Health Services Commission	2-291	0 - 7	YES	2X	3 yr	N/A	Steve Jenkins [1], Harold Alley [1], Louie Holleman [1], Wanda Long [1], Priscilla Taylor [1], Joan Black [1], Jere DuBois [1] BHS contacts Council w/ recommendations when seats open								
Capital Project Advisory Committee (end 1.17)															
Oconee Business Education Partnership	N/A	N/A	NO	N/A	NO	January	Mr. Julian Davis, District IV								
Oconee Economic Alliance	N/A	N/A	NO	N/A	NO	January	Mr. Paul Cain, Council; Ms. Amanda Brock, County Administrator; Mr. Sammy Dickson								
Ten At The Top [TATT]				NO	NO	January	Mr. Dave Eldridge								
ACOG BOD				N/A	NO	January	Council Rep: Mr. John Elliott [yearly]; 2 yr terms Citizen Rep: Mr. Julian Davis, Minority Rep: Marta Wahlen								
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins]								

[ # ] - denotes term. [<2] denotes a member who has served one term and less than one half of an additional term making them eligible for one additional appointment.  
 [SHADING = reappointment requested - questionnaire on file] Denotes individual who DOES NOT WISH TO BE REAPPOINTED  
**Bold Italic TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.**

# Oconee County Council

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

Phone: 864-718-1023  
Fax: 864 718-1024

E-mail:  
[ksmith@oconeesc.com](mailto:ksmith@oconeesc.com)

John Elliott  
Chairman  
District I

Matthew Durham  
District II

Paul A. Cain  
Vice Chairman  
District III

Julian Davis, III  
Chairman Pro Tem  
District IV

J. Glenn Hart  
District V



The Oconee County Council will meet in 2021 on the first and third Tuesday of each month with the following exceptions:

- April, July, & August meetings, which will be **only** on the third Tuesday of each of the three months;
- December meeting, which will be **only** the first Tuesday of the month.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat beginning at 9:00 a.m. on Friday, February 19, 2021 in Council Chambers to establish short and long term goals.

Oconee County Council will also meet on Tuesday, January 4, 2022 in Council Chambers at which point they will establish their 2022 Council and Committee meeting schedules.

Oconee County Council will also hold a Budget workshop on Friday, March 19, 2021 in Council Chambers.

Additional Council meetings, workshops, and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2021 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4:30 p.m. on the following dates: February 16, April 20, July 20, & September 21, 2021.

The Transportation Committee at 4:30 p.m. on the following dates: February 16, April 20, July 20, & September 21, 2021.

The Real Estate, Facilities, & Land Management Committee at 4:30 p.m. on the following dates: March 16, May 18, August 17, & October 19, 2021.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: March 16, May 18, August 17, & October 19, 2021.

The Budget, Finance, & Administration Committee at 9:00 a.m. on the following dates: February 19 [Strategic Planning Retreat] & March 19 [Budget Workshop] and 5:00 p.m. on the following dates: April 13 & May 4, 2021.



FRIDAY, JANUARY 8, 2021

Public Notice

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PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

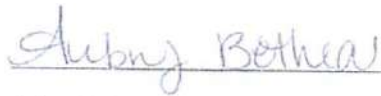
IN RE:

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in Oconee County, Pickens County and the Pendleton area of Anderson County and the notice (of which the annexed is a true copy) was inserted in said papers on 01/08/2021 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch  
General Manager

Subscribed and sworn to before me this  
01/08/2021



Aubry Bethea  
Notary Public  
State of South Carolina  
My Commission Expires November 20, 2030



# CLASSIFIED ETPLACE

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**MERCHANDISE UNDER \$100**

**For Sale**  
Fuji Model 400,  
Seven Speed Bicycle  
**\$40**  
Call 864-638-9048!

Massaging bath mat.  
Electric, heated, waterproof,  
motorized air pump.  
New, \$85.  
Call 864-647-4429

Oak Firewood for Sale!  
\$75 per load.  
Call 864-539-6289/  
864-873-7651.  
Ask for Keith.

Three heavy duty bags.  
High quality.  
Used for Sports, Camping,  
Fishing and Hunting.  
Two are 30" X 20"  
The other is 36" X 22"  
with side pockets  
Excellent Condition.  
All for \$50 or \$20 each.  
Call (864)886-1217.

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**AUTOS FOR SALE**



**2000 Cadillac STS**  
154,000 miles.  
1 owner, Pearl White V8.  
Like new Cooper tires,  
well maintained.  
Very clean!  
**\$2,500**  
Call or Text:  
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**UP TO \$15,000 of  
GUARANTEED  
Life Insurance!**

No medical exam or  
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Cash to help pay funeral  
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**Call Physicians Life  
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**APARTMENTS UNFURNISHED**

**Field Village  
Apartments**  
Accepting applications for  
62 years and older.  
•Rent based on income  
**Call 885-1077**

**Best Deal  
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1 Br.-\$475. • 2 Br.-\$595.  
Ask About Our  
Weekly Specials!  
•Furn/Power Pkgs.  
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99 S.C. newspapers for only  
\$375. Call Alanna Ritchie at  
the South Carolina Newspaper  
Network,  
**1-888-727-7377.**

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Every Football game,  
every Sunday anywhere  
on your favorite device.  
Restrictions apply.  
Call IVS  
**1-844-642-1107**

**HOUSES FOR RENT**

**CLEMSON  
DOWNS**  
2 Br., 2 Ba, garage, LR, DR.  
kitchen, sunroom, no pets.  
\$1,000/Mo., \$1,000/sec. dep.  
**\*NO SMOKERS....**  
Contact Patsy @  
**803-530-9114 or**  
email at:  
**pgjnut@aol.com**

**■ REAL ESTATE SALES**

**HOUSES**

**PUBLISHERS NOTICE**  
ALL real estate advertising in this  
newspaper is subject to Federal  
Fair Housing Act of 1968 which  
makes it illegal to advertise "any  
preference, limitations or discrimi-  
nation" based on race, color,  
religion, sex, handicap, familial  
status or national origin, or  
intention to make any such  
preference, limitation or discrimi-  
nation." This newspaper will not  
knowingly accept any advertising

**■ LEGAL NOTICES**

**LEGALS**

**Notice of Public Hearing**  
There will be a public hearing at  
6pm, Tuesday, February 16, 2021 in  
Oconee County Council Chambers  
located at 415 South Pine Street,  
Walhalla, SC 29691 for the following  
ordinance:  
**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
Ordinance 2021-06**

**AN ORDINANCE AMENDING  
CHAPTER 32 OF THE OCONEE  
COUNTY CODE OF ORDINANCES,  
IN CERTAIN LIMITED REGARDS  
AND PARTICULARS ONLY, RE-  
GARDING THE ESTABLISHMENT  
OF TRAFFIC CORRIDOR DESIGN  
STANDARDS, AND OTHER MAT-  
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ordinance:  
**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
Ordinance 2021-04**

**AN ORDINANCE REQUIRING INDI-  
VIDUALS TO WEAR FACE COVER-  
INGS IN CERTAIN FACILITIES  
OWNED OR OPERATED BY OCO-  
NEE COUNTY (SUNSET PROVI-  
SION INCLUDED), AND OTHER  
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OF LAKE CORRIDOR SIGNAGE  
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TERS RELATED THERETO.**

**NOTICE TO CREDITORS  
OF ESTATES**

**ALL PERSONS HAVING claims**  
against the following estates must file  
their claims on Form #371ES with  
the Probate Court of Oconee County,

**PUBLISHER'S AFFIDAVIT**

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE

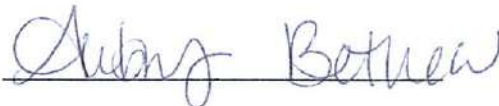
OCONEE COUNTY COUNCIL

IN RE: Notice of Public Hearing- Ordinance 2021-04

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\_\_\_\_\_  
Hal Welch  
General Manager

Subscribed and sworn to before me this  
01/27/2021

  
\_\_\_\_\_  
Aubry Bethea  
Notary Public  
State of South Carolina  
My Commission Expires November 20, 2030



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heavy duty bags.  
gh quality.  
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are 30" X 20"  
her is 36" X 22"  
side pockets  
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50 or \$20 each.  
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**Cadillac STS**  
10,000 miles.  
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w Cooper tires,  
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Cash to help pay funeral  
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2 Br., 2 Ba, garage, LR, DR,  
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**REAL ESTATE RENT**

**APARTMENTS UNFURNISHED**

**Field Village  
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Accepting applications for  
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•Rent based on income  
**Call 885-1077**



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OCONEE COUNTY  
Ordinance 2021-06

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OCONEE COUNTY  
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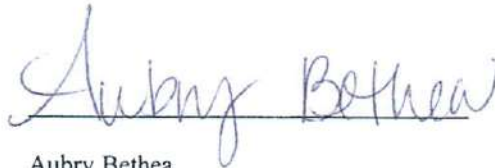
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All real estate advertising in this  
newspaper is subject to Federal  
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nation" based on race, color,  
religion, sex, handicap, familial  
status or national origin, or  
intention to make any such  
preference, limitation or discrimi-  
nation." This newspaper will not  
knowingly accept any advertising

**■ LEGAL NOTICES**

**LEGALS**

**Notice of Public Hearing**  
There will be a public hearing at  
6pm, Tuesday, February 16, 2021 in  
Oconee County Council Chambers  
located at 415 South Pine Street,  
Walhalla, SC 29691 for the following  
ordinance:

**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
Ordinance 2021-06**

**AN ORDINANCE AMENDING  
CHAPTER 32 OF THE OCONEE  
COUNTY CODE OF ORDINANCES,  
IN CERTAIN LIMITED REGARDS  
AND PARTICULARS ONLY, RE-  
GARDING THE ESTABLISHMENT  
OF TRAFFIC CORRIDOR DESIGN  
STANDARDS, AND OTHER MAT-  
TERS RELATED THERETO.**

**Notice of Public Hearing**  
There will be a public hearing at  
6pm, Tuesday, February 16, 2021 in  
Oconee County Council Chambers  
located at 415 South Pine Street,  
Walhalla, SC 29691 for the following  
ordinance:

**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
Ordinance 2021-04**

**AN ORDINANCE REQUIRING INDI-  
VIDUALS TO WEAR FACE COVER-  
INGS IN CERTAIN FACILITIES  
OWNED OR OPERATED BY OC-  
NEE COUNTY (SUNSET PROVI-  
SION INCLUDED), AND OTHER  
MATTERS RELATED THERETO.**

**Notice of Public Hearing**  
There will be a public hearing at  
6pm, Tuesday, February 16, 2021 in  
Oconee County Council Chambers  
located at 415 South Pine Street,  
Walhalla, SC 29691 for the following  
ordinance:

**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
Ordinance 2021-05**

**AN ORDINANCE AMENDING  
CHAPTER 32 OF THE OCONEE  
COUNTY CODE OF ORDINANCES,  
IN CERTAIN LIMITED REGARDS  
AND PARTICULARS ONLY, RE-  
GARDING THE ESTABLISHMENT  
OF LAKE CORRIDOR SIGNAGE  
STANDARDS, AND OTHER MAT-  
TERS RELATED THERETO.**

**NOTICE TO CREDITORS  
OF ESTATES**

**ALL PERSONS HAVING claims**  
against the following estates must file  
their claims on Form #371ES with  
the Probate Court of Oconee County,

**PUBLISHER'S AFFIDAVIT**

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE: Notice of Public Hearing- Ordinance 2021-06

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 01/27/2021 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch  
General Manager

Subscribed and sworn to before me this  
01/27/2021



Aubry Bethea  
Notary Public  
State of South Carolina  
My Commission Expires November 20, 2030







# PUBLIC COMMENT

## SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

DATE: February 16, 2021 6:00 p.m.

The Public Comment Sessions at this meeting is limited to a total of 40 minutes, 4 minutes per person. Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

### Please PRINT your name

1.	JOHN A. EHGAR
2.	Mark Poffell
3.	David McMahon
4.	Frankie Pearson
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Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.



# PUBLIC HEARING SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

DATE: February 16, 2021 6:00 p.m.

Ordinance 2021-04 "AN ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY (SUNSET PROVISION INCLUDED), AND OTHER MATTERS RELATED THERETO."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

Public comment during a public hearing is not limited to four minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

**Please PRINT your name**

1.	Nicole Wilson
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3.	Martha Steele
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# PUBLIC HEARING SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

DATE: February 16, 2021 6:00 p.m.

Ordinance 2021-05 "AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF LAKE CORRIDOR SIGNAGE STANDARDS, AND OTHER MATTERS RELATED THERETO."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

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**Please PRINT your name**

1.	JIM CORNER
2.	Sharon Hamilton
3.	MARK MAKUCH
4.	<del>John A. SAGE</del>
5.	Dave Mendenhall
6.	Robert Royce
7.	Martha Steele
8.	Grant Keehn
9.	
10.	
11.	Received via email to Clerk to Council:
12.	
13.	Phil Soper
14.	Gary Owens
15.	Cheryl Baldwin
16.	Terry Keane
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# PUBLIC HEARING SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

DATE: February 16, 2021 6:00 p.m.

Ordinance 2021-06 "AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF TRAFFIC CORRIDOR DESIGN STANDARDS, AND OTHER MATTERS RELATED THERETO."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

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Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

## Please PRINT your name

✓ 1. RANDY JONES	Bob Davis
✓ 2. Luke Moore	Sharon Hamilton
✓ 3. Allen Neal	Cameron Collins
✓ 4. Jean Jennings	
✓ 5. Tom Markovich	
✓ 6. BILL GILSTER	
✓ 7. Robert Boyer	Received via email to Clerk to Council:
✓ 8. Regina Steele	Sue Williams
✓ 9. <del>John</del>	Lisa Shirley
✓ 10. Peter Barnes	Scott Shirley
✓ 11. TERRY KEANE	Tammy Giordano
✓ 12. <del>June White</del>	Harvey & Julie Clark
✓ 13. <del>Mike White</del>	
✓ 14. Paul Corbett	
✓ 15. <del>Benny Luce</del>	
✓ 16. Wade Cobb	
✓ 17. Dr David Owen	
✓ 18. DuMahan	
✓ 19. <del>John</del>	
✓ 20. <del>John</del>	
✓ 21. <del>John</del>	
✓ 22. <del>John</del>	
✓ 23. Doug Hedden	
✓ 24. John Egan	

# Keowee Subdivision Association, Inc.

Peter A. Barnes, President

Comments re: “Design Standards Pertaining to Corridors in Oconee County”, including  
Attachment A: Ordinance 2021-06  
Article VI: Land Development and Subdivision Regulations

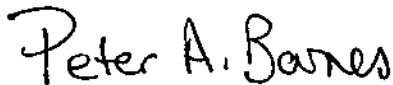
The Keowee Lake (west) side of Hwy 130 between Old Clemson Hwy and Duke Energy is primarily neatly presented resident subdivisions. The east (non-lake) side is mostly undeveloped. It would be a shame if development such as the storage facility approved for construction, across Hwy 130 from Keowee II and III, on the highest point in this part of Oconee were to be repeated along this scenic highway.

The Land Development Design Regulations, Ordinance 2021-06, are welcomed enthusiastically by the more than 170 residential homes comprising the Keowee Subdivision Association (KSA). The KSA Covenants and Bylaws for the subdivision, ensures that architectural, landscaping and maintenance standards are adhered to in order to maintain and enhance this investment by the homeowners.

Oconee County’s ordinance establishing reasonable expectations for future development of the Hwy 130 corridor and other important County corridors is to be applauded.

KSA fully supports the County in these important endeavors.

Respectfully Submitted



Peter A. Barnes  
Peter A. Barnes, President  
Keowee Subdivision Association

-February 14, 2021

**OCONEE COUNTY PLANNING COMMISSION MEETING**

**MR CHAIRMAN, COMMISSION MEMBERS**

**MY NAME IS TERRY KEANE AND I LIVE IN THE LAKE CORRIDOR AT 1632 KEOWEE LAKESHORE DRIVE. I'D LIKE TO SPEAK IN FAVOR OF THE PROPOSED CORRIDOR DESIGN STANDARDS.**

**I AM AN ARCHITECT EMERITUS AND HAVE OVER 50 YEARS EXPERIENCE IN BUILDING AND DEVELOPMENT PLANNING AND DESIGN HERE IN SOUTH CAROLINA.**

**I AM FAMILIAR WITH PLANNING AND BUILDING DESIGN STANDARDS AND THE BENEFITS THEY PROVIDE TO A COMMUNITY. I HAVE EXPERIENCED FIRST HAND SOME OF THE DISASTERS THAT CAN OCCUR WITH UNCONTROLLED DEVELOPMENT.**

**DESIGN STANDARDS GO A LONG WAY IN HELPING MAINTAIN VALUES AND GENERAL ATTRACTIVENESS OF AN AREA. THEY HELP AVOID VISUAL POLLUTION. THEY IMPROVE PROPERTY VALUES AND THE TAX BASE OF AN AREA.**

**I THINK THIS IS GREAT START IN HELPING TO MAINTAIN THE ATTRACTIVENESS OF THE AREA AND AVOID SOME OF THE UGLY MISTAKES THAT HAVE RECENTLY BEEN CONSTRUCTED OR PROPOSED.**

**I HAVE HEARD SOME COMPLAINTS THAT THIS PROPOSAL WILL SEVERELY INCREASE THE COST OF DEVELOPMENT. I HAVE DONE A QUICK ANALYSIS OF THIS ISSUE AND CONCLUDE THAT IN MOST CASES IT WON'T HAVE ANY FINANCIAL IMPACT AND WILL PROBABLY HELP IMPROVE THE PROPOSED BUSINESS BY MAKING IT MORE ATTRACTIVE TO CUSTOMERS. IN A FEW CASES OF VERY BASIS COMMERCIAL FACILITIES, IT APPEARS THAT THERE WILL BE A MINIMAL IMPACT. I WOULD ESTIMATE IT TO BE LESS THAN 1% OF THE TOTAL DEVELOPMENT COSTS. IF YOU DESIRE, I WOULD BE PLEASED TO WORK WITH STAFF TO ASSIST THEM IN REFINING THE ESTIMATE OF COST IMPACT.**

**PLEASE APPROVE THIS STANDARD**

**THANK YOU**

**COMMENTS TO OCONEE COUNTY COUNCIL  
FEBRUARY 16, 2021  
DESIGN STANDARDS AND SIGNAGE ORDINANCES**

**Signage Ordinance 2021-5**

I support the signage ordinance for the following reasons:

- #1 By limiting the size and movement features, it will prevent an increase in distracted driving.**
- #2 Many residents and visitors alike are already distracted through the use of cell phones and texting while driving.**
- #3 Visitors especially need to focus on getting to their destination. Traffic has increased dramatically in recent years and it needs to be kept moving free from additional distractions.**

**Design Standard Ordinance 2021-6**

I support the design standard initiative, the reasons below stated in simple terms:

- #1 Curb appeal - the term commonly used to increase interest and value in a property, especially when trying to sell that property. Not very difficult to do, the small tweaks to the facade of a building included in this ordinance will greatly increase the blending of the structure into the beautiful natural environment that will keep Oconee County a magnet for visitors and business alike.**
- #2 The result of implementing design standards will have the same result that the above mentioned "curb appeal" traditionally does - it will make our county more attractive and inviting to both visitors and residents, and will result in increased property values.**
- #3 Design standards will help prevent our main thoroughfares from turning into commercial eyesores.**

I believe the above ordinances work hand in hand with each other. Growth is happening quickly and the adoption of both will prevent that growth from destroying what we all love about this area.

Respectfully Submitted,

Sharon Hamilton  
Oconee County  
District 1  
207 Apollo Drive



# Public Hearing Session

*Ordinance 2021-05*



**Katie Smith**

---

**From:** Phil Soper <philsoper1@gmail.com>  
**Sent:** Tuesday, February 16, 2021 10:00 AM  
**To:** Katie Smith  
**Cc:** philsoper1@gmail.com  
**Subject:** Support for Ordinance 2021-05 - Signage Standards and Ordinance 2021-06 - Design Standards

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Comments for Oconee County Council  
Tuesday, February 16, 2021

I am speaking as a long-time member of Keep Oconee Beautiful Association (KOBA), but not for the organization.

I am in favor of Council approving the Signage and Design Standards Ordinances.

During my membership of the Oconee County Scenic Highway Commission, we worked with the Planning Department to develop a Sign ordinance and believe that the Signage Ordinance (2021 – 05) is an appropriate expansion to further “outdoor advertising” controls.

During the past several years “Rustic Elegance” façade guidelines were proposed and implemented for several area commercial buildings. The results have been received favorably and approval of the Design Standards ordinance 2021-06 will result in enhanced appearance of businesses in the County.

I thank the Planning Department, Planning Commission and County Council for their diligence and the positive actions being taken to manage growth in the County and for keeping Oconee beautiful.

Respectively,

Phil Soper  
[Philsoper1@gmail.com](mailto:Philsoper1@gmail.com)  
Seneca, SC

Comments to Oconee County Council  
Tuesday, February 16, 2021

Subject: Sign Standards ordinance and Design Standards ordinance for Oconee County

Council:

I am very encouraged tonight as you take further action to adopt the new Sign Standards and Design Standards for Oconee County.

Both of these new standards are consistent with and supportive of the Destination Oconee committee and the Oconee County Comprehensive Plan. The new standards will help ensure that future growth is not only encouraged in Oconee County, but will also set some very basic standards that can be expected as the growth appears. Many counties around us (Greenville is most noted) have similar standards in place to help ensure that growth in their county is well planned and beneficial to the county businesses and residents.

I believe that these two ordinances will reflect the forward-thinking perspective of the Oconee County Council and will be highly supported by all who understand the principles that you have outlined. I also believe, strongly, that implementing such fundamental standards will send a signal to future businesses that "growing in Oconee County, SC" is something that you will want to do!

I strongly encourage all of the County Council members to demonstrate your support and vote to affirm these ordinances on our collective behalf.

Thank you for your good work for us in this important area for the future of Oconee County.

Respectfully,

Gary R. Owens  
Salem, SC

## Katie Smith

---

**From:** Cheryl Baldwin <makingscents1028@gmail.com>  
**Sent:** Saturday, February 13, 2021 8:37 AM  
**To:** Katie Smith  
**Subject:** Hello

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Hello! My name is Cheryl, as a small business owner this is my way of providing for my children, and having to worry about more ordinances to come in oconee county that would make it harder for me to run my business would just be insane. To let this go through, this would hurt all of us with a small business that use this to provide for their family. There is already ordinances we have to have for business we do not need anymore. Thank you. Have a blessed day.

Making Scents Company  
Cheryl Baldwin

[makingscentscompany.com](http://makingscentscompany.com)  
Facebook @makingscents20

-February 2, 2021

**OCONEE COUNTY PLANNING COMMISSION MEETING**

**MR CHAIRMAN, COMMISSION MEMBERS**

**MY NAME IS TERRY KEANE AND I LIVE IN THE LAKE CORRIDOR AT 1632 KEOWEE LAKESHORE DRIVE. I'D LIKE TO SPEAK IN FAVOR OF THE PROPOSED SIGNAGE ORDINANCE AND THE LAKE CORRIDOR SIGNAGE STANDARDS.**

**VISUAL POLLUTION IS A REAL DETRIMENT TO OUR COMMUNITY AND WORKS AGAINST THE STATED GOALS OF THE COUNTY PLAN.**

**I AM AN ARCHITECT EMERITUS, TRAINED IN PLANNING AND DESIGN. I HAVE OWNED AND OPERATED A SUCCESSFUL ARCHITECTURAL PRACTICE HERE IN THE STATE FOR OVER 45 YEARS, DOING BOTH COMMERCIAL AND RESIDENTIAL PROJECTS.**

**I AM FAMILIAR WITH SIGNAGE STANDARDS AND THE BENEFITS THEY PROVIDE TO A COMMUNITY AND I HAVE EXPERIENCED FIRST HAND THE UNFORTUNATE VISUAL POLLUTION OF UNCONTROLLED SIGNAGE. IT IS A SCURGE LIKE THE TRASH AND DEBRIS WE SEE BESIDE OUR HIGHWAYS. UNCONTROLLED SIGNAGE CAN BE A DISTRACTION, A SAFETY HAZARD AS WELL AS SPOILING BEAUTIFUL VIEWS OUR COUNTY IS PRIVILEGED TO HAVE AS A MAGNET FOR GROWTH AND TOURISM.**

**I BELIEVE THE PROPOSED LAKE CORRIDOR SIGNAGE STANDARDS ARE WELL THOUGHT OUT AND WILL HELP MAINTAIN THE DESIRABLE ATTRACTIVENESS OF THE AREA.**

**I WOULD ENCOURAGE YOU TO APPLY THESE LAKE CORRIDOR STANDARDS TO THE PROPOSED CORRIDORS OF THE UP-COMING DESIGN STANDARDS AS WELL.**

**I BELIEVE THIS IS A GREAT TOOL TO HELP MAINTAIN THE ATTRACTIVENESS OF THE AREA AND AVOID SOME OF THE VISUAL POLLUTION THAT WILL OTHERWISE OCCUR.**

**PLEASE APPROVE THIS STANDARD**

THANK YOU

TERRY KEANE  
1632 KEOWEE LAKESHORE DR  
SENECA, SC. 29672  
843 368-5643



# Public Hearing Session

Ordinance 2021-06

## **Katie Smith**

---

**From:** Sue Williams <suewilliams130@gmail.com>  
**Sent:** Friday, February 12, 2021 11:40 AM  
**To:** Katie Smith  
**Subject:** Oconee County Design Standards

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Oconee County is blessed with great natural beauty. The proposed Oconee County Design Standards will complement the natural beauty of the area by encouraging building architecture which enhances the appearance of the area along major traffic corridors.

Sue Williams

## Katie Smith

---

**From:** Lisa Shirley <lisajshirley@yahoo.com>  
**Sent:** Monday, February 15, 2021 12:26 PM  
**To:** Katie Smith  
**Subject:** Zoning proposal for Tuesday Feb. 16, 2021

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

This vote by county council should not take place during a pandemic when the residence's of Oconee County are trying to stay safe and follow guidelines to stop the spread of Covid and cannot attend the meetings to voice our opinion. This. Appears to be a illegal attempt to push thru a zoning ordinance without allowing residents to voice their opinion.

This needs to go to a ballot vote by the residents of Oconee County. Not to be decided by a Council during a pandemic. I think this could end up in the Courts with The Residents of Oconee filing suit against the County of Oconee & Oconee County Council for trying to push this through during a Pandemic. This should be postponed.

[Sent from Yahoo Mail on Android](#)



## Katie Smith

---

**From:** Scott Shirley <revnscott@hotmail.com>  
**Sent:** Monday, February 15, 2021 3:44 PM  
**To:** Katie Smith  
**Subject:** no zoning

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern. I write this in opposition to the County Council's upcoming decision that will enforce certain restrictions on certain highways, including Hwy 11 where I have residence. My representative, who lives I believe in one of the Gated Communities along Lake Keowee seeks to implement restrictions that I feel are unfair and unwanted for those who either cannot afford or choose to live in communities that have strict HOA codes and regulations. It's bad enough that we now have an administration in Washington that seeks to strip away many of our rights and personal freedoms, that now we have those on the County Council who want to add restrictions and regulations that are in keeping of those who live along Lake Keowee. I know that at least two of the Councilmen are in opposition to this ordinance and encourage others to follow suit. I feel that the citizenry of those who would be adversely effected should be allowed to vote in a referendum on this matter. Thank you for allowing me to address this matter. Scott Shirley. 9505 N. Hwy 11 Tamassee

## Katie Smith

---

**From:** littlebit72 <littlebit72@bellsouth.net>  
**Sent:** Tuesday, February 16, 2021 8:29 AM  
**To:** Katie Smith  
**Subject:** Meeting tonight 2\16

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Ms. Smith,

Concerning the meeting for this evening: I am against the ordinance that is being voted on this evening. I understand the theory behind trying to make our HWYs look better in the county (and trying to bring in more money to the county) but I do not believe this is the best way to go about getting this done. There are so many buildings already built that need attention and fixing up and this ordinance will not help with that. It will only make it difficult for new buildings. I believe a better way would to start with what we already have and help those that do not have the ability, for one reason or another, to give a "face-lift" to those buildings that are already on those roads. Help those that are already struggling to "keep running" what they already have. Once the current buildings are either cleaned up or given a "face-lift" is complete and the roads are fixed, then look into continuing to beautify the county. If the old buildings are helped and look nice, it would encourage those persons building new buildings to build a construction that will look nice. Let's fix what we already have before regulating/restricting the future.

This is my opinion and my vote on this matter.

Thank you for taking your time to read my opinion and suggestion.

Tammy Giordano

## Katie Smith

---

**From:** Clark family <hacandjpc@yahoo.com>  
**Sent:** Tuesday, February 16, 2021 12:38 PM  
**To:** Katie Smith  
**Subject:** Design Standards Ordinance

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Hi Ms Smith!

As Oconee Co residents for over two decades, we would like to express our support for the Design Standards Ordinance 2021-06.

We love where we live and have seen the tremendous growth in population and associated construction in the County. We believe this growth will continue and that the proposed Ordinance is well thought out and appropriate. It would be of great benefit to all by helping maintain the appeal of our area for not only current residents, but also for others looking to relocate here for decades to come.

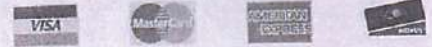
This Ordinance shows wise and prudent planning by Oconee County.

Respectfully,  
Harvey and Julie Clark

[Sent from Yahoo Mail for iPad](#)

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To more than 2.1 million  
South Carolina newspaper  
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99 S.C. newspapers for only  
\$375. Call Alanna Ritchie at  
the South Carolina Newspaper  
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**Direct TV**  
Every Football game,  
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Restrictions apply.  
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**CLEMSON  
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2 Br., 2 Ba, garage, LR, DR,  
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\$1,000/Mo., \$1,000/sec. dep.  
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OCONEE COUNTY  
Ordinance 2021-06

AN ORDINANCE AMENDING  
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COUNTY OF OCONEE**

**OCONEE COUNTY COUNCIL**

**IN RE: Notice of Public Hearing- Ordinance 2021-04**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 01/27/2021 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch  
General Manager

Subscribed and sworn to before me this  
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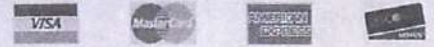


Aubry Bethea  
Notary Public  
State of South Carolina  
My Commission Expires November 20, 2030



# CLASSIFIED ADVERTISING PLACE

**864.973.6676**



**upstatetoday.com**

**■ MERCHANDISE**

**MERCHANDISE UNDER \$100**

**For Sale**  
2014 Honda Model 400,  
17 Speed Bicycle  
**\$40**  
864-638-9048!

Swimming bath mat.  
Treated, waterproof,  
inflated air pump.  
New, \$85.  
864-647-4429

Refrigerator for Sale!  
\$15 per load.  
864-539-6289/  
4-873-7651.  
Ask for Keith.

Heavy duty bags.  
High quality.  
Sports, Camping,  
Fishing and Hunting.  
They are 30" X 20"  
The other is 36" X 22"  
Each has side pockets  
Excellent Condition.  
\$150 or \$20 each.  
864)886-1217.

**■ TRANSPORTATION**

**CARS FOR SALE**



**Cadillac STS**  
100,000 miles.  
Pearl White V8.  
New Cooper tires,  
well maintained.  
Very clean!  
**\$2,500**  
Call or Text:  
(864) 933- 6627

**■ MERCHANDISE**

**MISCELLANEOUS FOR SALE**

**UP TO \$15,000 of  
GUARANTEED  
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No medical exam or  
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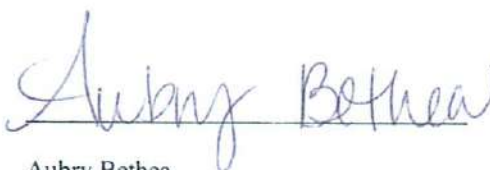
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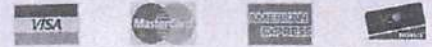


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Massaging bath mat.  
Electric, heated, waterproof,  
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Oak Firewood for Sale!  
\$75 per load.  
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Like new Cooper tires,  
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